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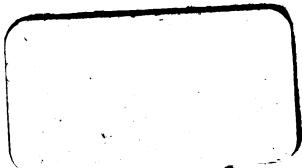


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|| LAWS AND REGULATIONS -

FOR THE GOVERNMENT

OF THE

*not used*  
POST OFFICE DEPARTMENT. //

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1852.



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1860, Dec. 4.  
Gift of  
Hon. Chas. Sumner.  
(Class of 1830.)

## PRINCIPAL OFFICERS OF THE P. O. DEPARTMENT.

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NATHAN K. HALL,  
*Postmaster General.*

SOLOMON D. JACOBS,  
*First Assistant Postmaster General—Appointment Office.*

FITZ-HENRY WARREN,  
*Second Assistant Postmaster General—Contract Office.*

JOHN MARRON,  
*Third Assistant Postmaster General—Finance Office.*

WILLIAM H. DUNDAS,  
*Chief Clerk—Inspection Office.*

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*The accounts of the Department are settled by the Auditor of the Treasury for the Post Office Department.*

JOHN W. FARRELLY,  
*Auditor.*

GIDEON J. BALL,  
*Chief Clerk.*



**POST OFFICE DEPARTMENT,**

*April 3, 1852.*

In the exercise of authority conferred by an act of Congress approved on the sixteenth of September, eighteen hundred and fifty, entitled "An act making appropriations for the service of the Post Office Department during the fiscal year ending June 30th, eighteen hundred and fifty-one," and which made an appropriation "for publishing new editions of the Post Office Laws and Regulations, and of the table of Post Offices," I have caused a compilation to be made of all the laws now in force relating to the business of this Department, and have made such alterations in and additions to the existing rules and regulations as experience and changes in the laws require.

So far as the Regulations here published effect changes in the existing rules or practice of mailing and bagging matter for distribution or otherwise, they are to go into effect on the first day of July next; and so far as they require changes in the practice of Postmasters in other particulars of their duty, they are to be observed immediately on their receipt.

**N. K. HALL,**  
*Postmaster General.*

## DISTRIBUTING POST OFFICES IN THE UNITED STATES.

The following is a list of *Distributing Offices*, as established from the first day of July, 1851 :

Portland, - - Me.	Columbus, - - Ohio.
Boston, - - Mass.	Cleveland, - - do.
Providence, - - R. I.	Toledo, - - do.
Hartford, - - Conn.	Detroit, - - Mich.
New York, - - N. Y.	Indianapolis, - - Ind.
Troy, - - do.	Vincennes, - - do.
Albany, - - do.	Shawneetown, - - Ill.
Buffalo, - - do.	Chicago, - - do.
Philadelphia, - - Penn.	St. Louis, - - Mo.
Erie, - - do.	Louisville, - - Ky.
Pittsburgh, - - do.	Maysville, - - do.
Baltimore, - - Md.	Nashville, - - Tenn.
Washington, - - D. C.	Memphis, - - do.
Richmond, - - Va.	Montgomery, - - Ala.
Norfolk, - - do.	Tuscumbia, - - do.
Abingdon, - - do.	Natchez, - - Miss.
Wheeling, - - do.	Vicksburg, - - do.
Kanawha, - - do.	New Orleans, - - La.
Raleigh, - - N. C.	Grand Ecore, - - do.
Ashville, - - do.	Little Rock, - - Ark.
Charleston, - - S. C.	Napoleon, - - do.
Augusta, - - Ga.	Keokuck, - - Iowa.
Savannah, - - do.	Galveston, - - Texas.
Columbus, - - do.	San Francisco, - - Cal.
Cincinnati, - - Ohio.	Astoria, - - Oregon.

Lists of the proper offices of dispatch and receipt of foreign mails, and of the frontier offices which exchange mails to and from Canada, New Brunswick, Cape Breton, Nova Scotia, and Newfoundland, will be found in Chapter 48, pp. 79 and 80.

## TO POSTMASTERS.

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In distributing the new edition of Post Office Laws and Regulations, the Postmaster General takes occasion to call the attention of Postmasters to the importance of a more strict, prompt, cheerful, and zealous observance on their part of the requirements here laid before them, *and especially* in certain important particulars following.

The Department depends for much information necessary to its efficiency and usefulness upon REPORTS made to it from day to day by the several Postmasters: for principally through these is it enabled to remedy imperfections and correct abuses in the several branches of its service. Each Postmaster should remember that he is as much bound in duty *and in honor* to report to the Department every case of error, delinquency, or abuse in the service—whether arising from wilful violations of the law or from the carelessness or neglect of Postmasters, contractors, or others, as he is to perform the ordinary routine duties of his office. So far from feeling any false delicacy or reluctance in reporting the mistakes or errors of other Postmasters, each one should feel a common interest with the others in having *all* abuses and imperfections in the service promptly reported to the Department; for in this way alone, perhaps, may he be advised of wrong-doing *in his own office*, which might otherwise remain concealed from him, operate to his prejudice, and subject him to pecuniary loss.

Let each Postmaster, then, keep in view and remembrance the duty of making—*without any failure or exception*—all the reports required to be made by the letter and spirit of these Regulations. Certainly no Postmaster who is animated by that zeal which should govern his official conduct, and which should lead him to identify the interests of the Department with his own, will either fail in this duty himself, or desire others to do so in respect to his own office.

Without intending to limit the zeal and vigilance of Postmasters to these objects alone, the Postmaster General especially enjoins it upon each one of them to keep himself well informed in respect to the mail service in his neighborhood: to report promptly to the Inspection Office every case in which a contractor shall fail to take from the Post Office the whole mail which he is bound to carry;

or in which he shall leave any portion thereof on the road at any point short of that to which it should be carried ; or shall allow the same to be exposed to depredation or injury ; or shall use a mode of conveyance inferior to that specified in his contract.

It is also required that each Postmaster shall report without delay every case that comes to his knowledge, in which a Route Agent shall fail duly to mail and post bill all letters received by him ; or in which he shall deliver such letters into a Post office, without having first duly mailed them.

Should any Postmaster disregard in any instance the injunctions thus earnestly enforced, the Postmaster General will deem it a grave offence against the regulations of the Department, and, if repeated, as evidence of unfitness for official trust.

It has come to the knowledge of the Postmaster General that Postmasters at certain distributing offices have, by means of circular letters, invited other Postmasters to send to their offices matter for distribution. This practice is forbidden, and Postmasters are cautioned to disregard these invitations. They will also disregard all declarations published on the covers of periodicals and pamphlets as to decisions of this Department in respect to the amount of postage chargeable on such publications. When a Postmaster is in doubt as to the postage chargeable on a particular publication, or in respect to any other point of his official duty, and cannot find a solution of his doubt in the published Regulations here furnished him, he should apply directly to the Department for instructions, and should not rely on expositions of the law received from any other quarter. Such cases will, however, rarely occur, if Postmasters make themselves *thoroughly familiar* with the contents of this book—as they are required to do.

For the protection of Postmasters, mail contractors and the public generally against imposition, notice is given that no person is authorized to travel or to act in any manner as a special agent of this Department who does not bear a commission issued by the Postmaster General *under the seal of the Department*.

Postmasters will find on the last page under the head of "Errata," notice of several typographical errors, which escaped correction. *These errors should be corrected with pen and ink immediately on the receipt of the book.*

N. K. HALL,  
Postmaster General.

POST OFFICE DEPARTMENT,  
April 3, 1852.

# POST OFFICE LAWS.

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## AN ACT

For establishing the temporary and permanent seat of the Government of the United States.

SEC. 6. *And be it further enacted*, That on the said first Monday in December, in the year one thousand eight hundred, the seat of the Government of the United States, shall by virtue of this act, be transferred to the District and place aforesaid, (District of Columbia, Washington City.) And all offices attached to the said seat of Government, shall accordingly be removed thereto by their respective holders, and shall after the said day, cease to be exercised elsewhere; and that the necessary expense of such removal shall be defrayed out of the duties on imports and tonnage—of which a sufficient sum is hereby appropriated.

Washington, seat  
of Government.

Its offices not to  
be exercised else-  
where.

APPROVED, *July 16, 1790.*

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## AN ACT

To provide more effectually for the settlement of accounts between the United States and receivers of public money.

SEC. 5. *And be it further enacted*, That where any revenue officer, or other person, hereafter becoming indebted to the United States, by bond or otherwise, shall become insolvent, or where the estate of any deceased debtor, in the hands of executors or administrators,



Priority of the U.  
States in cases of  
death, insolvency  
and assignment.

shall be insufficient to pay all the debts due from the deceased, the debt due to the United States shall be first satisfied ; and the priority\* hereby established shall be deemed to extend, as well as to cases in which a debtor, not having sufficient property to pay all of his debts, shall make a voluntary assignment thereof, or in which the estate and effects of an absconding, concealed, or absent debtor, shall be attached by process of law, as to cases in which an act of legal bankruptcy shall be committed.

APPROVED, March 3, 1797.

## AN ACT

Concerning Public Contracts.

Members of Con-  
gress not to con-  
tract.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, from and after the passage of this act, no member of Congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, undertake, execute, hold or enjoy, in the whole or in part, any contract or agreement, hereafter to be made or entered into with any officer of the United States, in their behalf, or with any person authorized to make contracts on the part of the United States ; and if any member of Congress shall, directly or indirectly, himself, or by any other person whatsoever in trust for him, or for his use or benefit, or on his account, enter into, accept of, agree for, undertake or execute, any such contract or agreement, in the whole or in part, every member so offending shall, for every such offence, upon conviction thereof, before any court of the United States, or of the Territories thereof, having cognizance of such offence, be adjudged guilty of a high misdemeanor, and shall be fined three thousand dollars ; and every such contract or agreement as aforesaid shall, moreover, be absolutely void and of no effect : *Provided, nevertheless,* That in all cases where any sum or sums of money shall have been advanced on the

Penalty.

\*This priority made expressly applicable to debts in Post Office Department by 13th section of act of 2d July, 1836.

part of the United States, in consideration of any such contract or agreement, the same shall be forthwith repaid; and in case of refusal or delay to repay the same, when demanded, by the proper officer of the department, under whose authority such contract or agreement shall have been made or entered into, every person so refusing or delaying, together with his surety or sureties, shall be forthwith prosecuted at law for the recovery of any such sum or sums of money advanced as aforesaid.

SEC. 2. *And be it further enacted*, That nothing herein contained shall extend, or be construed to extend, to any contract or agreement, made, or entered into, or accepted by any incorporated company, where such contract or agreement shall be made for the general benefit of such incorporation or company; nor to the purchase or sale of bills of exchange, or other property, by any member of Congress, where the same shall be ready for delivery, and for which payment shall be made at the time of making or entering into the contract or agreement.

Exception.

SEC. 3. *And be it further enacted*, That in every such contract, or agreement, to be made, or entered into, or accepted, as aforesaid, there shall be inserted an express condition that no member of Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise thereupon.

Condition to be inserted in public contracts.

SEC. 4. *And be it further enacted*, That if any officer of the United States, on behalf of the United States, shall directly or indirectly, make or enter into any contract, bargain or agreement, in writing or otherwise, other than such as are herein excepted, with any member of Congress, such officer so offending, on conviction thereof, before any court having jurisdiction thereof, shall be deemed and taken to be guilty of a high misdemeanor, and be fined in a sum of three thousand dollars.

Penalty on any officer who shall contract with a member.

SEC. 5. *And be it further enacted*, That from and after the passing of this act, it shall be the duty of the Secretary of the Treasury, Secretary of War, Secretary of the Navy, and the Postmaster General, annually, to lay before Congress a statement of all the contracts which have been made in their respective depart-

Heads of Departments to report all contracts to Congress.

ments, during the year preceding such report, exhibiting in such statement the name of the contractor, the article or thing contracted for, the place where the article was to be delivered or the thing performed, the sum to be paid for its performance or delivery, the date and duration of the contract.\*

APPROVED, *April 21, 1808.*

## AN ACT

To amend the Laws in the District of Columbia.

Administration  
in States and Ter-  
ritories, to have ef-  
fect in District of  
Columbia.

SEC. 11. *And be it further enacted,* That it shall be lawful for any person or persons to whom letters testamentary, or of administration, hath been or may hereafter be granted by the proper authority in any of the United States or the Territories thereof, to maintain any suit or action, and to prosecute and recover any claim in the District of Columbia, in the same manner, as if the letters testamentary or of administration had been granted to such person or persons by the proper authority in the said District; and the letters testamentary or of administration, or a copy thereof, certified under the seal of the authority granting the same, shall be sufficient evidence to prove the granting thereof, and that the person or persons, as the case may be, hath or have administration.

APPROVED, *June 24, 1812.*

## AN ACT

To discontinue certain Post Roads and to establish others.

Certain waters  
declared post  
roads.

SEC. 3. *And be it further enacted,* That all waters on which steamboats regularly pass from port to port, shall be considered and established as post roads, subject to the provisions contained in the several acts regulating the post office establishment.

APPROVED *March 3, 1823.*

\* Further directions to Postmaster General to report mail contracts to be found in 22d section of the act of 2d July, 1836.

## AN ACT

To reduce into one the several acts establishing and regulating the Post Office Department.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there be established, at the seat of the Government of the United States, a General Post Office, under the direction of a Postmaster General. The Postmaster General shall appoint two Assistants,\* and such clerks as may be necessary for the performance of the business of his office, and as are authorized by law; and shall procure, and cause to be kept, a seal† for the said office, which shall be affixed to commissions of postmasters, and used to authenticate all transcripts and copies which may be required from the Department. He shall establish post offices, and appoint‡ postmasters, at all such places as shall appear to him expedient, on the post roads that are, or may be established by law. He shall give his assistants, the postmasters, and all other persons whom he shall employ, or who may be employed, in any of the departments of the General Post Office, instructions relative to their duty. He shall provide for the carriage of the mail on all post roads that are, or may be established by law, and as often as he, having regard to the productiveness thereof, and other circumstances, shall think proper. He may direct the route or road, where there are more than one, between places designated by law for a post road, which route shall be considered the post road. He shall obtain, from the Postmasters, their accounts and vouchers for their receipts and expenditures, once in three months, or oftener, with the balances thereon arising in favor of the General Post Office. He shall pay all expenses which may arise in conducting the post office, and in the conveyance of the mail, and all other necessary expenses

Postmaster General's powers.

Seal.

Power of instruction.

To convey mail.

How often.

To control accounts.

To defray expenses.

\* A Third Assistant Postmaster General provided by 20th section of the act of 2d July, 1836.

† For effect of seal in authenticating papers—See act of 22d February, 1849.

‡ Postmasters of \$1,000 compensation to be appointed by the President—See 33d section of the act of 2d July, 1836.

To prosecute.

When Senior  
Assistant acts as  
Postmaster General.

Oath.

arising on the collection of the revenue, and management of the General Post Office. He shall prosecute offences against the post office establishment. He shall, once in three months, render\* to the Secretary of the Treasury a quarterly account of all the receipts and expenditures in the said Department, to be adjusted and settled as other public accounts. He shall, also, superintend the business of the Department, in all the duties that are, or may be, assigned to it: *Provided*, That in case of the death, resignation, or removal† from office, of the Postmaster General, all his duties shall be performed by his senior assistant, until a successor shall be appointed, and arrive at the General Post Office, to perform the business.

SEC. 2. *And be it further enacted*, That the Postmaster General, and all other persons employed in the General Post Office, or in the care, custody, or conveyance of the mail, shall, previous to entering upon the duties assigned to them, or the execution of their trusts, and before they shall be entitled to receive any emolument therefor, respectively take and subscribe the following oath or affirmation, before some magistrate, and cause a certificate thereof to be filed in the General Post Office: "I, A B, do swear or affirm, (as the case may be,) that I will faithfully perform all the duties required of me, and abstain from every thing forbidden by the laws in relation to the establishment of the post office and post roads within the United States." Every person who shall be, in any manner employed in the care, custody, conveyance, or management of the mail, shall be subject to all pains, penalties and forfeitures, for violating the injunctions, or neglecting the duties, required of him by the laws relating to the establishment of the post office and post roads, whether such person shall have taken the oath or affirmation, above prescribed, or not.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Postmaster General, upon the appoint-

\*Rendition of accounts to Secretary of the Treasury—superse-  
ded by 8th section of the act of 2d July, 1836.

† Devolution of duties on First Assistant extended by 40th section  
of the act of 2d July, 1836, to case of absence from seat of Govern-  
ment.

ment of any postmaster, to require, and take of such postmaster, bond,\* with good and approved security, in such penalty as he may judge sufficient, conditioned for the faithful discharge of all the duties of such Postmaster, required by law, or which may be required by any instruction or general rule for the government of the Department: *Provided, however,* That, if default shall be made by the postmaster aforesaid, at any time, and the Postmaster General shall fail to institute suit against such postmaster, and said sureties, for two years from and after such default shall be made, then, and in that case, the said sureties shall not be held liable to the United States, nor shall suit be instituted against them.

Bond.

Suits within two years after default.

SEC. 4. *And be it further enacted,* That the Postmaster General shall cause a mail to be carried from the nearest post office, on any established post road, to the Court House of any county which is now, or may hereafter be, established in any of the States or Territories of the United States, and which is without a mail; and the road on which such mail shall be transported shall become a post road, and so continue, until, the transportation thereon shall cease. It shall, also, be lawful for the Postmaster General to enter into contracts, for a term not exceeding four years, for extending the line of posts, and to authorize the persons so contracting, as a compensation for their expenses, to receive, during the continuance of such contracts, at rates not exceeding those for like distances established by this act, all the postage which shall arise on letters, newspapers, magazines, pamphlets, and packets, conveyed by any such posts; and the roads, designated in such contracts, shall, during the continuance thereof, be deemed and considered as post roads, within the provision of this act; and a duplicate of every such contract shall, within sixty days after the

Mail to court houses.

Extended post routes.

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\*The giving a new official bond by a Deputy Postmaster does not discharge his sureties under the old bond for the past or subsequent defaults of the Postmaster—4 Washington, C. C. R. 678. But the Postmaster General may, by taking new bond, release from date of his acceptance thereof, the sureties on the former bond.—See 37th section of the act of 2d July, 1836.

execution thereof, be lodged in the office of the Comptroller\* of the Treasury of the United States.

Mails in steam-boats or packets.

SEC. 5. *And be it further enacted*, That the Postmaster General be authorized to have the mail carried in any steamboat, or other vessel, which shall be used as a packet, in any of the waters of the United States, on such terms and conditions as shall be considered expedient: *Provided*, That he does not pay more than three cents for each letter, and more than one-half cent for each newspaper conveyed in such mail.

Steamboat letters to be deposited.

SEC. 6. *And be it further enacted*, That it shall be the duty of every master or manager of any steamboat, which shall pass from one port or place to another port or place in the United States, where a post office is established, to deliver,† within three hours after his arrival, if in the day time, and within two hours after the next sunrise, if the arrival be in the night, all letters and packets addressed to, or destined for, such port or place, to the Postmaster there, for which he shall be entitled to receive, of such Postmaster, two‡ cents for every letter or packet so delivered, unless the same shall be carried or conveyed under a contract with the Postmaster General; and, if any master or manager of a steamboat shall fail so to deliver any letter or packet, which shall been brought by him, or shall have been in his care, or within his power, he shall incur a penalty§ of thirty dollars for every such failure. And every person, employed on board any steamboat,

Penalty.

\* Provision for lodging duplicates of contracts in the office of the Comptroller, repealed by the 30th section of the act of 2d July, 1836.

† The like requirement extended to other ships or vessels arriving at any port of the United States by the 17th and 18th sections of this act.

‡ Postmaster General has authority to pay for letters and packets conveyed on vessels or boats not under contract—not exceeding two cents each—by 13th section of the act of 3d March, 1847.

§ Penalty increased by the 9th, 10th, 11th, and 13th sections of the act of 3d March, 1845, which with the 12th section thereof, the 19th, and 21st section of this act, and the 3d section of the act of 2d March, 1827, contain further provisions against the conveyance of letters, otherwise than in the mail. From these restrictions the act of 1845 excepts newspapers, pamphlets, magazines, and periodicals. The 4th section of the act of 3d March, 1845, prohibits any person from carrying letters, newspapers, &c., on board any vessel employed to convey United States mail to foreign countries.

shall deliver every letter, and packet of letters, entrusted to such person, to the master or manager of such steamboat, and before the said vessel shall touch at any other port or place; and for every failure or neglect so to deliver, a penalty of ten dollars shall be incurred for each letter or packet.

SEC. 7. *And be it further enacted*, That no other than a free white person shall be employed in conveying the mail; and any contractor who shall employ, or permit any other than a free white person to convey the mail, shall, for every such offence, incur a penalty of twenty dollars.

Mail carriers to be free whites.

SEC. 8. *And be it further enacted*, That whenever it shall be made to appear to the satisfaction of the Postmaster General, that any roads established, or which may hereafter be established as a post road, is obstructed by fences, gates, or bars, or other than those lawfully used on turnpike roads to collect their toll, and not kept in good repair, with proper bridges and ferries, where the same may be necessary, it shall be the duty of the Postmaster General to report the same to Congress with such information as can be obtained, to enable Congress to establish some other road instead of it, in the same main direction.

Obstruction of post routes by fences, &c.

SEC. 9. *And be it further enacted*, That if any person shall, knowingly and wilfully, obstruct or retard the passage of the mail, or of any driver or carrier, or of any horse or carriage, carrying the same, he shall, upon conviction for every such offence, pay a fine not exceeding one hundred dollars; and if any ferryman shall, by wilful negligence, or refusal to transport the mail across any ferry, delay the same, he shall forfeit and pay, for every ten minutes that the same shall be so delayed, a sum not exceeding ten dollars.

Retarding the mail.

At ferries.

Penalty.

SEC. 10. *And be it further enacted*, That it shall be the duty of the Postmaster General to give public notice,\* in one newspaper published at the seat of Go-

Making contracts.

\* Further directions for advertising for mail contracts contained in the 23d section of the act of 2d July, 1836. But by the joint resolution of 20th February, 1845, contracts may be made with railroad companies without advertisement. The same authority is contained in the 19th section of the act of 3d March, 1845, which also authorizes the Postmaster General, if unable to make a contract with the Railroad



vernment of the United States, and in one or more of the newspapers published in the State or States, or Territory, where the contract is to be performed, for at least twelve weeks before entering into any contract for carrying the mail, that such contract is intended to be made, and the day on which it is to be concluded, describing the places from and to which such mail is to be conveyed, the time at which it is to be made up, and the day and hour at which it is to be delivered. He shall, moreover, within ninety days after the making of any contract, lodge a duplicate thereof, together with the proposals which he shall have received respecting it, in the office of the Comptroller\* of the Treasury of the United States: *Provided*, That no contract shall be entered into for a longer term than four† years.

SEC. 11. *And be it further enacted*, That every **Post office hours.** Postmaster shall keep an office, in which one or more persons shall attend on every day on which a mail shall arrive, by land or water, as well as on other days, at such hours as the Postmaster General shall direct, for the purpose of performing the duties thereof; and it shall be the duty of the Postmaster, at all reasonable hours, on every day of the week, to deliver, on demand, any letter, paper, or packet, to the person entitled to, or authorized to receive the same; and all letters brought to any post office half an hour before the time of making up the mail at such office, shall be forwarded therein, except at such post offices where, in the opinion of the Postmaster General, it requires more time for making up the mail, and which he shall accordingly prescribe; but this shall in no case exceed one hour.

SEC. 12. *And be it further enacted*, That no fees

Company to divide the mail and contract, with or without advertisement, for the conveyance of the letter mail by horse express, or otherwise. The 14th section of the act of 3d March, 1845, authorizes contracts to be made without advertisement with steamboats on the western and other waters of the United States.

\* Provision for lodging duplicate contracts in the office of the Comptroller, repealed by the 30th section of the act of 2d July, 1836.

† Contracts for conveying mails to foreign countries by the first section of the act of 3d March, 1845; and from place to place in the United States, and by sea in steamboats—in the Gulf of Mexico, and on the Mississippi from the mouth to New Orleans—by the 8th section of the same act, may be made for ten years.

or perquisites shall be received by any person employed in the General Post Office, on account of the duties to be performed by virtue of his appointment.

No fees, &c. in  
General Post Of-  
fice.

SEC. 13. *And be it further enacted*, That no postmaster shall receive, to be conveyed by the mail, any packet which shall weigh more than three pounds; and the postage marked on any letter or packet, and charged in the post bill which may accompany the same, shall be conclusive evidence in favor of the postmaster who delivers the same, of the lawful postage thereon, unless such letter or packet shall be opened in the presence of the postmaster or his clerk.\* Any memorandum which shall be written on a newspaper or other printed paper, pamphlet or magazine, and transmitted by mail, shall be charged with letter postage.†

Limit of packets  
to three pounds.

SEC. 14. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorised to allow to each postmaster such commission‡ on the postages by him collected as shall be adequate to his services and expenses: *Provided*, That his commission shall not exceed the following several rates on the amount received in one quarter, viz :

On a sum not exceeding one hundred dollars, thirty per cent.

Postmasters'  
commissions on  
letter postage.

On any sum over and above the first hundred dollars, and not exceeding four hundred dollars, twenty-five per cent.

On any sum over and above the first four hundred, and not exceeding two thousand four hundred dollars, twenty per cent.

\* Bound books and parcels of printed matter, not over thirty-two ounces, made available by the second section of the act of 3d March, 1851; but the privilege of Governors of States, under the act of 30th June, 1834, and of members of Congress, in respect to public documents, under the 13th section of the act of 3d March, 1847, is not restricted to weight.

† See also 30th section of this act.

‡ So much of this section as relates to the commissions of Postmasters is superseded by the first section of the act 1st March, 1847, which act is again modified by the act of 17th May, 1848. The seventh section of the act of 3d March, 1845, authorizes the Postmaster General to increase to 50 per cent. the commissions of any postmaster whose commissions amount to less than \$25 per annum; and the 6th section of the act of 3d March, 1851—to allow in certain conditions 20 per cent. on the compensation to 30 June, 1851.

On any sum over and above the first two thousand four hundred dollars, eight per cent.—

Who rise at night.	Except to the postmasters who may be employed in receiving and despatching foreign mails, whose compensation may be augmented, not exceeding twenty-five dollars in one quarter; and excepting to the postmasters at offices where the mail is regularly to arrive between the hours of nine o'clock at night and five o'clock in the morning, whose commission on the first hundred dollars, collected in one quarter, may be increased to a sum not exceeding fifty per cent. The
On newspaper postage.	Postmaster General may allow to the postmasters, respectively, a commission of fifty per cent. on the moneys arising from the postage of newspapers, magazines, and pamphlets; and to the postmasters whose
On free letters.	compensation shall not exceed five hundred dollars in one quarter, two cents for every free letter, delivered out of the office, excepting such as are for the postmaster himself; and each postmaster, who shall be
Mail Registers.	required to keep a register* of the arrival and departure of the mails, shall be allowed ten cents for each monthly return which he makes thereof to the General Post Office. The Postmaster General may allow to the postmaster at New Orleans,† at the rate of eight hundred dollars a year in addition to his ordinary commissions. The Postmaster General is hereby authorized to allow to the postmaster of the city of Washington, in addition to the allowance made by this act, for postage collected and for free letters received by him for delivery, a commission of five per cent. on the amount of mails distributed at his office: <i>Provided, nevertheless,</i> That the whole annual emolument of the said postmaster, including the extra compensation of eight hundred dollars which is hereby allowed him, shall be subject to the restrictions imposed by the forty-first section of this act.
Proviso.	

Ship letters.	SEC. 15. <i>And be it further enacted,</i> That every letter or packet, brought into the United States, or carried from one port therein to another, in any private
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\* For express directions to keep registers of the arrivals and departures of the mails—See 31st section of the act of 2d July, 1836.

† Special allowances to Postmasters at New Orleans and Washington, re-enacted by act of 2d March, 1847.

ship or vessel, shall be charged with six cents, if delivered at the post office where the same shall arrive; and if destined to be conveyed, by post, to any place, with two cents added to the ordinary rates of postage.

SEC. 16. *And be it further enacted*, That if any postmaster, or other person, authorized by the Postmaster General to receive the postage of letters, shall fraudulently demand or receive any rate of postage, or gratuity, or reward, other than is provided by this act, for the postage of letters or packets, on conviction thereof he shall forfeit, for every such offence, one hundred dollars.

Illegal rates of postage or rewards.

SEC. 17. *And be it further enacted*, That no ship or vessel, arriving at any port within the United States where a post office is established, shall be permitted to report, make entry, or break bulk, until the master or commander shall have delivered to the postmaster all letters directed to any person or persons within the United States or the Territories thereof, which, under his care, or within his power, shall be brought in such ship or vessel, except such as are directed to the owner or consignee of the ship or vessel. And it shall be the duty of the collector, or other officer of the port empowered to receive entries of ships or vessels, to require, from every master or commander of such ship or vessel, an oath or affirmation, purporting that he has delivered all such letters, except as aforesaid; and if any commander or master of any such ship or vessel shall break bulk before he shall have complied with the requirements of this act, every such offender shall, on conviction thereof, forfeit, for every such offence, a sum not exceeding one hundred dollars.\*

Masters of vessels to deposit letters.

SEC. 18. *And be it further enacted*, That the postmaster to whom such letters may be delivered shall pay the master or commander, or other person delivering the same, except the commanders of foreign packets, two cents for each letter or packet; and shall

Two cents for each.

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\*The like requirement applied to steamboats passing from one port of the United States to another, by the 6th section of this act. For further provisions to prevent letters from being carried otherwise than in the mail, including penalties—See 19th and 21st sections of this act, and 9th, 10th, 11th, 12th, and 13th sections of the act of 3d March, 1845.

obtain from the person delivering the same, a certificate, specifying the number of letters and packets, with the name of the ship or vessel, and the place from whence she last sailed; which certificate, together with a receipt for the money, shall be, with his quarterly accounts, transmitted to the Postmaster General, who shall credit him with the amount.

**SEC. 19.** *And be it further enacted,* That no stage or other vehicle, which regularly performs trips on a post road, or on a road parallel to it, shall convey letters; nor shall any packet boat or other vessel, which regularly plies on a water declared to be a post road, except such as relate to some part of the cargo. For the violation of this provision, the owner of the carriage, or other vehicle, or vessel, shall incur the penalty of fifty dollars. And the person who has charge of such carriage, or other vehicle, or vessel, may be prosecuted under this section, and the property in his charge may be levied on and sold, in satisfaction of the penalty and costs of suit: *Provided,* That it shall be lawful for any one to send letters by special messenger.

**No letters to be carried on post routes, either by land or water.**

**Penalty.**

**SEC. 20.** *And be it further enacted,* That the deputy postmasters, and other agents of the Postmaster General, shall duly account, and answer to him, for all way letters which shall come to their hands; and for this purpose, the post riders, and other carriers of the mail, receiving any way letter or letters, (and it shall be their duty to receive them, if presented more than one mile from a post office,) shall deliver the same, together with the postage, if paid, at the first post office to which they shall afterwards arrive; where the postmaster shall duly enter the same, and specify the number, and rate or rates, in the post bill, adding to the rate of each way letter one cent, which shall be paid by the postmaster to the mail carrier from whom such way letters shall be received.

**Way letters.**

**One cent for each.**

**SEC. 21.** *And be it further enacted,* That if any person employed in any of the departments of the Post Office establishment, shall unlawfully detain,\* delay, or

**Detaining, delaying, opening, or destroying any letter, or packet, &c.**

\*Provisions applicable to postmasters, and to prevent detention of letters and papers, in the preference of one over another, contained in the 32d section of the act of 2d July, 1836.

open, any letter, packet, bag or mail of letters, with which he shall be entrusted, or which shall have come to his possession, and which are intended to be conveyed by post; or, if any such person shall secrete, embezzle, or destroy, any letter or packet entrusted to such person as aforesaid, and which shall not contain any security for, or assurance relating to money, as hereinafter described, every such offender, being thereof duly convicted, shall, for every such offence, be fined, not exceeding three hundred dollars, or imprisoned, not exceeding six months, or both, according to the circumstances and aggravations of the offence. And if

Penalty.

any person, employed as aforesaid, shall secrete, embezzle, or destroy, any letter, packet, bag or mail of letters, with which he or she shall be entrusted, or which shall have come to his or her possession, and are intended to be conveyed by post, containing any bank note or bank post bill, bill of exchange, warrant of the Treasury of the United States, note of assignment of stock in the funds, letters of attorney for receiving annuities or dividends, or for selling stock in the funds, or for receiving the interest thereof, or any letter of credit, or note for, or relating to, payment of moneys, or any bond, or warrant, draft, bill, or promissory note, covenant, contract, or agreement, whatsoever, for, or relating to, the payment of money, or the delivery of any article of value, or the performance of any act, matter, or thing, or any receipt, release, acquittance, or discharge of, or from, any debt, covenant, or demand, or any part thereof; or any copy of any record of any judgment, or decree, in any court of law, or chancery, or any execution which may have issued thereon, or any copy of any other record, or any other article of value, or any writing representing the same; or if any such person employed as aforesaid, shall steal, or take, any of the same out of any letter, packet, bag, or mail of letters, that shall come to his or her possession, such person shall, on conviction for any such offence, be imprisoned not less than ten years, nor exceeding twenty-one years; and if any person who shall have taken charge of the mails of the United States, shall quit or desert the same before such person delivers it into the post office kept at the termination of the route, or some known mail

If containing money, &c.

Stealing, &c.

Penalty to those in Post Office employment.

Quitting, or deserting the mail.

**Penalty.** carrier, or agent of the General Post Office, authorized to receive the same, every such person, so offending, shall forfeit and pay a sum not exceeding five hundred dollars for every such offence; and if any person\* concerned in carrying the mail of the United States, shall collect, receive, or carry any letter, or packet, or shall

**Mail carriers' penalty for carrying letters.** cause or procure the same to be done, contrary to this act, every such offender shall forfeit and pay, for every such offence, a sum not exceeding fifty dollars.

**Robbing the mail.** SEC. 22. *And be it further enacted,* That if any person shall rob any carrier of the mail of the United States, or other person entrusted therewith, of such mail, or of part thereof, such offender or offenders shall, on conviction, be imprisoned not less than five years, nor exceeding ten years; and, if convicted a second time of a like

**Penalty.** offence, he or they shall suffer death; or, if, in effecting such robbery of the mail, the first time, the offender shall wound the person having custody thereof, or put his life in jeopardy, by the use of dangerous weapons, such offender or offenders shall suffer death. And if any person shall attempt to rob the mail of the United States, by assaulting the person having custody thereof, shooting at him or his horse or mule, or threatening him with dangerous weapons, and the robbery is not effected, every such offender, on conviction thereof, shall be

**Attempting to rob.** punished by imprisonment, not less than two years nor exceeding ten years. And, if any person shall steal the mail, or shall steal or take from, or out of, any mail, or from, or out of, any post office, any letter or packet; or, if any person shall take the mail, or any letter or packet therefrom, or from any post office, whether with or without the consent of the person having custody thereof, and shall open, embezzle, or destroy, any such mail, letter, or packet, the same containing any article of value, or evidence of any debt, due, demand, right or claim, or any release, receipt, acquittance, or discharge, or any other article, paper, or thing, mentioned and described in the twenty-first section of this act; or, if any person shall, by fraud or deception, obtain from any person having custody thereof, any mail, letter or packet, con-

**Stealing the mail, or from the mail, or embezzling, &c.**

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\* See note to section 17.

taining any article of value, or evidence thereof, or either of the writings referred to, or next abovementioned, such offender or offenders, on conviction thereof, shall be imprisoned, not less than two, nor exceeding ten <sup>Penalty.</sup> years. And, if any person shall take any letter or packet, not containing any article of value, nor evidence thereof, out of a post office, or shall open any letter, or packet, which shall have been in a post office, or in <sup>Opening, prying into, or destroying letters.</sup> custody of a mail carrier, before it shall have been delivered to the person to whom it is directed, with a design to obstruct the correspondence, to pry into another's business, or secrets; or shall secrete, embezzle, or destroy, any such mail, letter, or packet, such offender, upon conviction, shall pay, for every such offence, a <sup>Penalty.</sup> sum not exceeding five hundred dollars, and be imprisoned not exceeding twelve months.

SEC. 23. *And be it further enacted,* That, if any person shall rip, cut, tear, burn, or otherwise injure, any valise, portmanteau, or other bag, used, or designed to be used, by any person acting under the authority of the Postmaster General, or any person in whom his powers are vested, in a conveyance of any mail, letter, packet or newspaper, or pamphlet, or shall draw or break any staple, or loosen any part of any lock, chain, or strap, attached to, or belonging to any such valise, portman- <sup>Cutting or destroying mail bags or portmanteaus.</sup> teau, or bag, with an intent to rob, or steal any mail, letter, packet, newspaper, or pamphlet, or to render either of the same insecure, every such offender, upon <sup>Loosening any strap, or lock, &c.</sup> conviction, shall, for every such offence, pay a sum not less than one hundred dollars, nor exceeding five hundred dollars, or be imprisoned not less than one year, nor exceeding three years, at the discretion of the court before whom such conviction is had. <sup>Penalty.</sup>

SEC. 24. *And be it further enacted,* That every person, who, from and after the passage of this act, shall procure, and advise, or assist, in the doing or perpetration of any of the acts or crimes by this act forbidden, <sup>Aiders and abettors.</sup> shall be subject to the same penalties and punishments as the persons are subject to, who shall actually do or perpetrate any of the said acts or crimes, according to the provisions of this act.\*

\* For accessories before and after the fact—See 45th section of this act, and 38th section of the act of 2d July, 1836.



SEC. 25. *And be it further enacted*, That every person who shall be imprisoned, by a judgment of court, under and by virtue of the twenty-first, twenty-second, twenty-third, or twenty-fourth sections of this act, shall be kept at hard labor during the period of such imprisonment.

SEC. 26. *And be it further enacted*, That the postmasters shall, respectively, publish,\* at the expiration of every three months, or oftener, when the Postmaster General shall so direct, in one of the newspapers published at or nearest the place of his residence, for three successive weeks, a list of all the letters remaining in their respective offices, or instead thereof, shall make out a number of such lists, and cause them to be posted at such public places in their vicinity, as shall appear to them best adapted for the information of the parties concerned: and at the expiration of the next three months, shall send such of the said letters as then remain on hand, as dead letters, to the General Post Office, where the same shall be opened and inspected; and if any valuable papers, or matters of consequence, shall be found therein, it shall be the duty of the Postmaster General to return such letter to the writer thereof, or cause a descriptive list thereof to be inserted in one of the newspapers published at the place most convenient to the supposed residence of the owner, if within the United States; and such letter, and the contents, shall be preserved, to be delivered to the person to whom the same shall be addressed, upon payment of the postage, and the expense of publication. And if such letter contain money, the Postmaster General may appropriate it to the use of the Department, keeping an account thereof, and the amount shall be paid by the Department to the rightful claimant so soon as he shall be found.

Free letters.

SEC. 27. *And be it further enacted*, That letters and packets to and from the following officers of the United States, shall be received and conveyed by post free of

\* So much of this section, as relates to the advertising of letters and the cost thereof, is superseded by the 5th section of the act of the 3d March, 1851.

† By act of 3d March, 1849, letters refused or which cannot be delivered, may be immediately returned to the dead letter office.

postage: Each Postmaster, provided each of his letters or packets shall not exceed half an ounce in weight; each member of the Senate, and each member and delegate of the House of Representatives of the Congress of the United States; the Secretary of the Senate, and Clerk of the House of Representatives, provided each letter or packet (except documents printed by the order of either House of Congress,) shall not exceed two ounces in weight, and during their actual attendance in any session of Congress, and sixty days before and after such session, and in case of excess of weight, that excess alone shall be paid for; the President of the United States, Vice President; the Secretaries of State, of the Treasury, of War, of the Navy; Attorney General; Postmaster General, and the Assistants Postmaster General; the Comptrollers of the Treasury, Auditors, Register, Treasurer, and Commissioner of the General Land Office; and such individuals who shall have been, or may hereafter be, President of the United States; and each may receive newspapers by post, free of postage: *Provided*, That postmasters shall not receive, free of postage, more than one daily newspaper each, or what is equivalent thereto; nor shall members of the Senate, or of the House of Representatives, the Clerk of the House, or Secretary of the Senate, receive newspapers, free of postage, after their privilege of franking shall cease.\*

Officers entitled to frank.

Free newspapers.

SEC. 28. *And be it further enacted*, That if any person shall frank any letter or letters, other than those written by himself, or by his order on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars,† and it shall be the especial duty of postmasters to prosecute for said offence: *Provided*, That the Secretary of the Treasury, Secretary of State, Secretary of War, Secretary of the Navy, and Postmaster General, may frank letters or packets on official business, prepared in any other public office, in the absence of the principal thereof. And if any person, having the right to receive his letters free of postage,

Persons entitled to frank, not to frank for others.

Penalty.

Letters enclosed in free letters.

\*Repealed by the 5th section of the act of 3d March, 1845.

† Penalty increased in case of Assistants Postmaster General and postmasters by the act of 1845.

	shall receive enclosed to him, any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the post office, marking thereon the place from whence it came, that it may be charged with postage. And if any person shall counterfeit the hand writing or frank of any person, or
Counterfeiting franks.	cause the same to be done, in order to avoid the payment of postage, each person, so offending, shall pay, for every such offence, five hundred dollars.*
Printers exchange papers free.	SEC. 29. <i>And be it further enacted,</i> That every printer of newspapers may send one paper to each and every other printer of newspapers within the United States, free of postage, under such regulations as the Postmaster General shall provide:†
Newspapers.	SEC. 30. <i>And be it further enacted,</i> That all newspapers conveyed in the mail, shall be under cover, open at one end, and charged with postage of one cent each, for any distance not more than one hundred miles, and one and a half cent for any greater distance:
Postage.	<i>Provided,</i> That the postage of a single newspaper from any one place to another, in the same State, shall not exceed one cent; and the Postmaster General shall require those who receive newspapers by post, to pay always the amount of one quarter's postage in advance; and should the publisher of any newspaper, after being three months previously notified that his paper is not taken out of the office to which it is sent for delivery, continue to forward such paper in the mail, the postmaster to whose office such paper is sent, may dispose of the same, for the postages, unless the publisher shall pay it. If any person employed in any department of the post office, shall improperly detain, delay, embezzle, or destroy, any newspaper, or shall permit any other person to do the like, or shall open, or permit any other to open, any mail, or packet, of newspapers, not directed to the office where he is employed, such offender shall, on conviction thereof, forfeit a sum
Paid in advance.	
When sold for postage.	
Detaining, embezzling, or destroying them.	
Penalty.	

\*So much of this section as implies or gives authority to frank in the cases mentioned, is repealed by the 5th section of the act of 3d March, 1845.

†This permission extended to publishers of pamphlets, periodicals, magazines, and newspapers—not exceeding sixteen ounces in weight—by the 2d section of the act of 3d March, 1851.

not exceeding fifty dollars, for every such offence.—

And if any other person shall open any mail or packet of newspapers, or shall embezzle or destroy the same, not being directed to such person, or not being authorized to receive or open the same, such offender shall, on conviction thereof, pay a sum not exceeding twenty dollars for every such offence. And if any person

shall take, or steal, any packet, bag, or mail of newspapers, from, or out of any post office, or from any person having custody thereof, such person shall, on conviction, be imprisoned, not exceeding three months, for every such offence, to be kept at hard labor during the period of such imprisonment. If any person shall en-

close or conceal a letter, or other thing, or any memorandum in writing, in a newspaper, pamphlet, or magazine, or in any package of newspapers, pamphlets, or magazines, or make any writing or memorandum thereon, which he shall have delivered into any post office, or to any person for that purpose, in order that the same

may be carried by post, free of letter postage, he shall forfeit the sum of five dollars for every such offence; and the letter, newspaper, package, memorandum, or other thing, shall not be delivered to the person to whom it is directed, until the amount of single letter postage is paid for each article of which the package is composed. No newspapers shall be received by the postmasters, to be conveyed by post, unless they are sufficiently dried, and enclosed in proper wrappers, on which, besides the direction, shall be noted the number of papers which are enclosed for subscribers, and the number for printers; *Provided*, That the number need not be endorsed, if the publisher shall agree to furnish the postmaster, at the close of each quarter, a certified statement of the number of papers sent in the mail, chargeable with postage. The Postmaster General, in any contract he may enter into for the conveyance of the mail, may authorize the person with whom such contract is to be made, to carry newspapers, magazines, and pamphlets, other than those conveyed in the mail: *Provided*, That no preference shall be given to the publisher of one newspaper over that of another, in the same place. When the mode of conveyance, and the size of the mail will admit of it, such magazines and pamphlets as are published periodi-

Stealing them,

Enclosing in them letters, &c., or writing on them.

Penalty.

To be dried and numbered.

Privilege to mail carriers to carry newspapers.

Proviso.

Periodical magazines and pamphlets.

Postage.

Not periodically.

Delinquent post-  
masters.

To be sued.

Accounts to be  
certified under seal.

cally, may be transported in the mail, to subscribers, at one and a half cents a sheet, for any distance not exceeding one hundred miles, and two and a half cents for any greater distance. And such magazines and pamphlets as are not published periodically, if sent in the mail, shall be charged with a postage of four cents on each sheet, for any distance not exceeding one hundred miles, and six cents for any greater distance.\*

SEC. 31. *And be it further enacted*, That, if any postmaster, or other person authorized to receive the postage of letters and packets, shall neglect or refuse to render his accounts, and pay over to the Postmaster General the balance by him due, at the end of every three months, it shall be the duty of the Postmaster General to cause a suit to be commenced against the person or persons so neglecting or refusing: That all suits, which shall be hereafter commenced, for the recovery of debts or balances due to the General Post Office, whether they appear by bond or obligations, made in the name of the existing, or any preceding Postmaster General, or otherwise, shall be instituted in the name of the "Postmaster General of the United States." That certified statements, under the seal of the General Post Office, of the accounts of the several postmasters and contractors, after the same shall have been examined and adjusted at that office, shall be admitted as evidence in all suits brought by the Postmaster General for the recovery of balances or debts due from postmasters or contractors; and also certified copies of the quarterly accounts of postmasters; or, if lodged in the Treasury, copies, certified by the Register,

\*The term newspaper, defined by the 16th section of the act of 2d March, 1845. By the 2d section of the act of the 3d March, 1851, weight instead of size is made the basis for computation of postage, papers published weekly only are permitted to circulate in the mail free within the county where published, and the rates of postage herein provided for newspapers, transient or for subscribers, periodicals, pamphlets and magazines, are superseded.

By the 9th, 10th, 11th, 12th, and 13th sections of the same act of 1845, newspapers, pamphlets, magazines and periodicals are excepted from the restrictions to carriage in the mails, applicable to other mailable matter. By the 15th section they are allowed to be sent as merchandize, or to an agent for distribution, and by the 13th section of the act of the 3d March, 1847, contractors are authorized to carry newspapers out of the mails, for sale or distribution to subscribers.

under the seal of his office, shall be admitted as evidence.\*

SEC. 32. *And be it further enacted*, That, if any postmaster shall neglect to render his accounts for one month after the time, and in the form and manner prescribed by law, and by the Postmaster General's instructions, conformable therewith, he shall forfeit double the value of the postages which shall have arisen at the same office in any equal portion of time previous or subsequent thereto; or, in case no account shall have been rendered at the time of trial of such case, then such sum as the court and jury shall estimate, equivalent thereto, to be recovered by the Postmaster General, in an action of debt, on the bond against the postmaster and his securities, and for which the securities shall be liable. Penalty for defaults.

SEC. 33. *And be it further enacted*, That all pecuniary penalties and forfeitures, incurred under this act, shall be one half for the use of the person or persons informing and prosecuting for the same, and the other half to the use of the United States, and shall be paid over to the Postmaster General, and accounted for by him as other moneys of the Department. Of fines.

SEC. 34. *And be it further enacted*, That it shall be lawful for the Postmaster General to make provision, where it may be necessary, for the receipt of all letters and packets intended to be conveyed by any ship or vessel beyond sea, or from any port in the United States to another port therein; and the letters so received shall be formed into a mail, sealed up, and directed to the postmaster of the port to which such ship or vessel shall be bound; and for every letter or packet so received, there shall be paid, at the time of its reception, a postage of one cent, which shall be for the use of the postmasters respectively receiving the same. And the Postmaster General may make arrangements with the postmasters in any foreign country, for the reciprocal Mails beyond sea.  
Postage.

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\* By the 13th section of the act of 2d July, 1836, suits are to be instituted in the name of the "United States." By the 14th section the Auditor is to superintend such suits, and by the 15th section the statements of account and transcripts certified under his seal of office are made evidence.

receipt and delivery of letters and packets through the post office.\*

Exemption from militia and jury duty.

SEC. 35. *And be it further enacted*, That the postmasters, postriders, and drivers of the mail stages, shall be exempt from militia duties, and serving on juries, or any fine or penalty for neglect thereof.†

Letter carriers.

SEC. 36. *And be it further enacted*, That letter carriers shall be employed at such post offices as the Postmaster General shall direct, for the delivery of letters‡ in the places, respectively, where such post offices are established; and, for the delivery of each such letter, the letter carrier may receive, of the person to whom the delivery is made, two cents: *Provided*, That no letter shall be delivered to such letter carrier for delivery, addressed to any person who shall have lodged at the post office a written request that the letter shall be detained in the office. And, for every letter lodged at any post office, not to be carried by post, but to be delivered at the place where it is so lodged, the postmaster shall receive one cent§ of the person to whom it shall be delivered.

Letterbox letters, one cent.

State courts' jurisdiction.

SEC. 37. *And be it further enacted*, That all causes of action arising under this act, may be sued, and all offenders against this act, may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several States, and of the several Territories of the United States, they having competent jurisdiction, by the laws of such States or Territories, to the trial of claims and demands of as great value, and of the prosecutions, where the punishments are of

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\* For further provision upon the subject of foreign mails—see Joint Resolution of 15th June, 1844, and the acts of 3d March, 1845; 3d March, 1847, 27th June, 1848; (retaliatory,) 10th July, 1848, 3d August, 1848, 3d March, 1849, and 3d March, 1851.

† Exemption extended by 34th section of the act of 2d July, 1836, to assistants and clerks in post offices.

‡ Carriers to receive half a cent for the delivery of newspapers—see 2d section of the act of 2d March, 1827; further provisions upon the subject of carriers, to be found in the 41st section of the act of 2d July, 1836, the 10th section of the act of 3d March, 1851; and for California and Oregon, in the 2d section of the second act of the same date.

§ Postage on drop letters increased to two cents by the 1st section of the act of 3d March, 1845, and again reduced to one cent by the 1st section of the act of 3d March, 1851.

as great extent; and such justices, magistrates, or judiciary, shall take cognizance thereof, and proceed to judgment and execution, as in other cases.

SEC. 38. *And be it further enacted*, That, in all suits or causes arising under this act, the court shall proceed to trial, and render judgment the first term after such suit shall be commenced: *Provided, always*, That, whenever service of the process shall not have been made twenty days, at least, previous to the return day of such term, the defendant shall be entitled to one continuance, if the court, on the statement of such defendant, shall judge it expedient: *Provided, also*, That, if the defendant in such suits shall make affidavit that he has a claim against the General Post Office, not allowed by the Postmaster General, although submitted to him conformably to the regulations of the Post Office, and shall specify such claim in the affidavit, and that he could not be prepared for the trial at such term, for want of evidence, the court, in such case, being satisfied in those respects, may grant a continuance until the next succeeding term; and the Postmaster General shall be authorized to discharge from imprisonment any person confined in jail, on any judgment in a civil case, obtained in behalf of the Department: *Provided*, It be made to appear that the defendant has no property of any description: *And provided*, That such release shall not bar a subsequent execution against the property of the defendant.\*

Judgments first term.

Proviso.

Postmaster General may discharge from prison.

Proviso.

SEC. 39. *And be it further enacted*, That it shall be the duty of the Postmaster General to report annually, to Congress, every post road which shall not, after the second year from its establishment, have produced one-third of the expense of carrying the mail on the same.

Post roads not producing one-third

SEC. 40. *And be it further enacted*, That the Adjutant General of the militia of each State and Territory shall have a right to receive, by mail, free of postage, from any Major General or Brigadier General thereof,

Adjutant Generals of militia, frank.

\*For further provisions upon the subject of this section—see 31st section of this act, and 13th, 14th and 15th sections of the act of 2d July, 1836. For criminal proceedings for default or embezzlement—see act of 6th August, 1846. Authority to compromise for former debts, damages and penalties, &c., conferred by 3d section of the act of 3d March, 1851.



Proviso.

Penalty.

Surplus of Post-  
masters' emolu-  
ments over \$2,000  
per annum.

Postmasters, &c.,  
not to be contract-  
ors.

Increase of pay  
of contractors re-  
stricted.

and to transmit to said Generals, any letter or packet relating solely to the militia of such State or Territory : *Provided, always,* That every such officer, before he delivers any such letter or package for transmission, shall, in his own proper hand writing, on the outside thereof, endorse the nature of the papers enclosed, and thereto subscribe his name and office, and shall previously furnish the postmaster of the office where he shall deposit the same, with a specimen of his signature. And if any such officer shall frank any letter or package, in which shall be contained anything relative to any subject other than of the militia of such State or Territory, every offender shall, on conviction of every such offence, forfeit and pay a fine of fifty dollars.\*

SEC. 41. *And be it further enacted,* That, whenever the annual emoluments of any postmaster, after deducting therefrom the necessary expenditures, incident to his office, shall amount to more than two thousand dollars, the surplus shall be accounted for, and paid to the Postmaster General, and by him to be accounted for, in the same manner as other moneys accruing from the Post Office establishment.†

SEC. 42. *And be it further enacted,* That no postmaster, assistant postmaster, or clerk, employed in any post office, shall be a contractor, or concerned in a contract for carrying the mail:‡ *Provided,* That this section shall not interfere with contracts heretofore made.

SEC. 43. *And be it further enacted,* That no additional§ allowance shall be made, by the Postmaster General, to the contractor or carrier of any mail, on any route, over or beyond the amount stipulated in the contract entered into for the transportation of the mail on such route, unless additional service shall be requir-

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\* Repealed by the 5th section of the act of 3d March, 1845.

† This allowance to be computed, according to the fiscal year, and made rateable for any period less than a year, by 1st section of the act of 1 March, 1847.

‡ This prohibition extended to persons employed in the Post Office Department, and to the said persons or postmasters acting as agents of contractors and penalty provided, by 26th section of the act of 2d July, 1836.

§ Further and more explicit provisions to restrain additional allowances are contained in the 22d and 23d sections of the act of 2d July, 1836.

ed; and then no additional compensation shall be allowed, to exceed the exact proportion of the original amount to the additional duties required; and the Postmaster General shall, in all such cases, within thirty days thereafter, transmit to the First Comptroller\* of the Treasury an account of such additional services, and the compensation to be allowed therefor.

SEC. 44. *And be it further enacted*, That any person or persons, who shall hereafter make any proposal in writing, to carry or transport the mail upon any route or routes, which may be advertised to be let, and such person or persons shall be determined by the Postmaster General to be entitled to the contract, by virtue of such proposition, and such person or persons shall fail or refuse to enter into an obligation, with good and sufficient security, to perform such contract within the time required by the Postmaster General, in such advertisement, such person or persons shall forfeit and pay so much money as shall be the difference between the amount contained in such proposal, and the amount the Postmaster General shall have to pay for the same transportation of the mail on such route or routes; which sum may be recovered by the Postmaster General in an action on the case.†

Proposers for contracts who do not comply.

Forfeit.

SEC. 45. *And be it further enacted*, That if any person shall buy, receive, or conceal, or aid in buying, receiving, or concealing, any article mentioned in the twenty-first section of this act, knowing the same to have been stolen or embezzled from the mail of the United States, or out of any post office, or from any person having the custody of the said mail, or the letters sent or to be sent therein; or if any person shall be accessory after the fact to any robbery of the carrier of the mail of the United States, or other person entrusted therewith, of such mail, or of part thereof, every person, so offending, shall, on conviction thereof, pay a fine not exceeding two thousand dollars, and

Aiders and abettors of mail robbers.

Penalty.

\* The provision for reporting such allowances to the Comptroller is repealed by the 30th section of the act of 2d July, 1836. But by the 22d section, such allowances, &c., are to be annually reported to Congress; and by the 11th section, orders touching claims or accounts are to be promptly reported to the Auditor.

† More explicit provision to give effect to the object of this section are contained in the 27th section of the act of 2d July, 1836.

be imprisoned and confined to hard labor for any time not exceeding ten years. And such person or persons, so offending, may be tried and convicted without the principal offender\* being first tried, provided such principal offender has fled from justice, or cannot be found to be put on his trial.

Repeal of former acts.

Provisos.

SEC. 46. *And be it further enacted*, That all acts and parts of acts which have been passed for the establishment and regulation of the General Post Office, shall be, and the same are hereby, repealed: *Provided*, That the act, entitled "An act concerning public contracts," approved on the twenty-first of April, one thousand eight hundred and eight, shall not be affected hereby, but shall remain in full force and virtue: *And provided, also*, that nothing herein contained shall be construed to affect, or extend to, any offence committed against the laws, now in force, intended by this act to be repealed: but the same shall be prosecuted, and determined, and punished, according to the said laws; nor to affect any existing contract, or debt, or demand, due to or from the Department; but all such offences, crimes, debts, duties, demands, and contracts, shall be held in force, and adjudged, determined, and executed, according to the present laws in force, as though this act had not passed; nor shall it affect any appointments to office made under the laws hereby repealed.

APPROVED, *March 3, 1825.*

## AN ACT

To establish certain Post Roads, and to discontinue others.

Certain post routes to be discontinued.

SEC. 2. *And be it further enacted*, That all post routes which hereafter, within the term of three successive years, fail to yield one-fourth of the expense incident to its establishment, shall be discontinued by the Postmaster General, unless in cases where it may be necessary as a connection or continuance of a route

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\* For the principal offender, see 21st section of the act of 3d March, 1825; and for accessaries after the fact, see 38th section of the act of 2d July, 1836.

or routes : *Provided, also,* That this section shall not be so construed as to deprive the seat of justice, in each county, of one mail going to and from said town.

APPROVED, *March 3, 1825.*

## AN ACT

Amendatory of the Act regulating the Post Office Department.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be authorized to allow to the postmasters at the several distributing offices, a commission, not to exceed five per cent. on the amount of postage on letters and packets received for distribution, the allowance to commence on the third of March, eighteen hundred and twenty-five : *Provided,* That, if the number of mails received at, and despatched from, any such office, is not increased by the distributing system,\* then no allowance shall be made therefor, except where special provision is made.

Commission allowed to postmasters at distributing offices.

Proviso.

SEC. 2. *And be it further enacted,* That the Postmaster General be authorized to allow to each postmaster one cent for every letter received from any ship or vessel, and mailed by him, provided, his usual commission, together with the allowance aforesaid, shall not exceed the sum of two hundred dollars a year. And the letter carriers employed at post offices shall be authorized to receive for each newspaper delivered by them, an half cent, and no more.

Allowance for ship letters received and mailed.

Letter carriers.

SEC. 3. *And be it further enacted,* That no person, other than the Postmaster General, or his authorized agents, shall set up any foot or horse post, for the conveyance of letters and packets, upon any post-road, which is or may be established as such by law. And every person who shall offend herein, shall incur a penalty of not exceeding fifty dollars, for each letter or packet so carried.

\* Commission on distribution increased to 7 per cent., by 1st section of the act of 1st March, 1847, and by the 1st section of the act of 17th May, 1848, made applicable to the quarterly, instead of the annual amount received.

Franking privilege given to certain officers.

SEC. 4. *And be it further enacted*, That the Commissioners of the Navy Board, the Adjutant General, Commissary General, Inspectors General, Quartermaster General, Paymaster General, the Secretary of the Senate, Clerk of the House of Representatives, and the Superintendent of the Patent Office, be authorized to frank, and to receive letters and packets by post, free of postage, and that no other persons or officers, excepting those enumerated herein, and in the act "to reduce into one the several acts establishing and regulating the Post Office Department," passed on the third of March, eighteen hundred and twenty-five, shall be authorized to frank or to receive letters through the mail free of postage.\*

Rules for charging letter postage.

SEC. 5. *And be it further enacted*, That one or more pieces of paper, mailed as a letter, and weighing one ounce, shall be charged with quadruple postage, and at the same rate, should the weight be greater; and quadruple postage shall be charged on all packets containing four pieces of paper. Every printed pamphlet or magazine which contains more than twenty-four pages on a royal sheet, or any sheet of less dimensions, shall be charged by the sheet, and small pamphlets printed on a half or quarter sheet of royal, or less size, shall be charged with half the amount of postage charged on a full sheet; and there shall be printed or written, on one of the outer pages of all pamphlets and magazines, to be sent by mail, the number of sheets they contain; and if such number shall not be truly stated, double postage shall be charged.†

No postmaster or assistant postmaster to act as agent for lottery offices.

SEC. 6. *And be it further enacted*, That no postmaster or assistant postmaster shall act as agent for lottery offices, or under any color of purchase, or otherwise, vend lottery tickets; nor shall any postmaster receive free of postage, or frank, lottery schemes, circulars, or tickets. For a violation of this provision, the person offending shall suffer a penalty of fifty dollars.

APPROVED, *March 2, 1827.*

\* Repealed by the 5th section of the act of 3d March, 1845.

† This section superseded by the 1st and 2d sections of the act of 3d March, 1851.

## AN ACT

To prevent defalcations on the part of the disbursing agents of the Government, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no money hereafter appropriated shall be paid to any person, for his compensation, who is in arrears to the United States, until such person shall have accounted for, and paid into the Treasury, all sums for which he may be liable : *Provided,* That nothing herein contained shall be construed to extend to balances arising solely from the depreciation of Treasury notes received by such person, to be expended in the public service ; but in all cases where the pay or salary of any person is withheld, in pursuance of this act, it shall be the duty of the accounting officers, if demanded by the party, his agent or attorney, to report forthwith to the agent of the Treasury Department the balance due, and it shall be the duty of the said agent, within sixty days thereafter, to order suit to be commenced against such delinquent and his sureties.

Payment to defaulters prohibited.

APPROVED, January 25, 1828.

## AN ACT

Authorizing the governors of the several States to transmit by mail certain books and documents.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be lawful for the governors of the several States to transmit by mail, free of postage, all laws and reports, whether bound or unbound, and all records and documents of their respective States which may be directed by the legislatures of the several States, to be transmitted to the executives of other States ; and the governor of the State transmitting the same shall, in addition to his frank, endorse the kind of book or document enclosed, and direct the same

Governors of States to frank certain documents.

to the governor of the State to which the same may be sent.\*

APPROVED, June 30, 1834.

## A RESOLUTION

To change the time of making contracts for the transportation of the mail.

Postmaster General to extend term of contracts.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be authorized, provided the same can be done at the present rates of compensation, to extend the term of the existing contracts for the transportation of the mail, to the thirtieth day of June inclusive, next succeeding the thirty-first day of December of each year, in which said contracts expire, so that the contract year may, after the first day of January next, commence on the first day of July, instead of the first day of January.

APPROVED, May 14, 1836.

## AN ACT

To change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof.

Revenues to be paid into the Treasury.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the revenues arising in the Post Office Department, and all debts due to the same, shall, when collected, be paid, under the direction of the Postmaster General, into the Treasury of the United States.

Postmaster General to submit estimates, &c.

SEC. 2. *And be it further enacted,* That the Postmaster General shall submit to Congress at the next and each succeeding annual session, specific estimates of the sums of money expected to be required for the service of the Department in the subsequent year, com-

\* This act saved and continued by the 7th section of the act of 3d March, 1845.

mencing on the first day of July, under the following heads, viz: Compensation of Postmasters," "Transportation of the Mails," "Ship, steamboat, and way-letters," "Wrapping paper," "Office furniture," "Advertising," "Mail-bags," "Blanks," "Mail-locks, keys, and stamps," "Mail depredations and special agents," "Clerks for offices," and "Miscellaneous." And the Postmaster General shall render an account to Congress, at each succeeding annual session, of the amounts actually expended for each of the purposes above specified.\*

SEC. 3. *And be it further enacted*, That the aggregate sum required "for the service of the Post Office Department" in each year, shall be appropriated by law out of the revenue of the Department, and that all payments of the receipts of the Post Office Department into Treasury, shall be to the credit of the said appropriation.

Appropriation  
made from reve-  
nues of the Post  
Office Department.

SEC. 4. *And be it further enacted*, That the sums appropriated for the service aforesaid shall be paid by the Treasurer in the manner herein directed: *Provided*, That the compensation of postmasters, the expenses of post offices, and such other expenses of the Department for which appropriations have been made, as may be incurred by postmasters, may be deducted out of the proceeds of their offices, under the direction of the Postmaster General; *And provided, also*, That all charges against the Department by postmasters, on account of such expenses, shall be submitted for examination and settlement, to the Auditor herein provided for; and that no such deduction shall be valid, unless the expenditure so deducted, be found to have been made in conformity to law: *And provided, also*, That the Postmaster General shall have power to transfer debts due on account of the Department, by postmasters and others, in satisfaction of the legal demands for which appropriations have been made, of such contractors who may be creditors of the Department, as shall have given bonds, with security, to refund any moneys that may come into their hands over and above

To be paid by  
the Treasurer.

Proviso.

Proviso.

\*Accounts of the Department to be kept under the above heads.—  
See 12th section of this act.



the amount which may be found due <sup>to</sup> to them on the settlement of their accounts.

Treasurer to  
give receipts.

SEC. 5. *And be it further enacted*, That the Treasurer of the United States shall give receipts for all moneys received by him to the credit of the appropriation for the service of the Post Office Department; which receipt shall be endorsed upon warrants drawn by the Postmaster General, and without such warrant no acknowledgment for money received as aforesaid shall be valid.

Payments to be  
made on warrants.

SEC. 6. *And be it further enacted*, That the appropriations for the service of the Post Office Department, shall be disbursed by the Treasurer out of the moneys paid into the Treasury for the service of the Post Office Department, upon the warrants of the Postmaster General, registered and countersigned as herein provided, and expressing on their faces the appropriation to which they should be charged.

Accounts rendered  
quarterly to the  
Auditor.

SEC. 7. *And be it further enacted*, That the Treasurer shall render his accounts of the moneys received and paid by him on account of the Post Office Department, quarterly, to the Auditor for the Post Office Department, hereinafter provided for, and shall transmit copies of the same, when adjusted by him, to the two Houses of Congress.

Auditor to be ap-  
pointed, and his  
duties.

SEC. 8. *And be it further enacted*, That there shall be appointed by the President, with the consent of the Senate, an Auditor of the Treasury for the Post Office Department, whose duty it shall be to receive all accounts arising in the said Department, or relative thereto, to audit and settle the same, and certify their balances to the Postmaster General: *Provided*, That if either the Postmaster General, or any person whose account shall be settled, be dissatisfied therewith, he may, within twelve months, appeal to the First Comptroller of the Treasury, whose decision shall be final and conclusive. The said Auditor shall report to the Postmaster General, when required, the official forms of papers to be used by postmasters, and other officers or agents of the Department concerned in its receipts and payments, and the manner and form of keeping and stating its accounts. He shall keep and preserve all accounts, with the vouchers, after settlement. He shall

Proviso.

promptly report to the Postmaster General all delinquencies of postmasters in paying over the proceeds of their offices. He shall close the accounts of the Department quarterly, and transmit to the Secretary of the Treasury quarterly statements of its receipts and expenditures. He shall register, charge and countersign, all warrants upon the Treasury for receipts and payments issued by the Postmaster General, when warranted by law. He shall perform such other duties, in relation to the financial concerns of the Department, as shall be assigned to him by the Secretary of the Treasury, [or Postmaster General,] and shall make to them respectively, such reports as either of them may require respecting the same. The said Auditor may frank, and receive free of postage, letters and packets under the regulations provided by law for other officers of the Government. And all letters and packets to and from the Chief Engineer, which may relate to the business of his office, shall be free of postage.\*

SEC. 9. *And be it further enacted*, That it shall be the duty of the Postmaster General to decide on the official forms of all papers to be used by Postmasters, and other officers or agents of the Post Office Department, concerned in its receipts and payments, and the manner and form of keeping and stating its accounts; to enforce the prompt rendition of the returns of postmasters, and of all certificates, acknowledgments, receipts, and other papers, by postmasters and contractors, relative to the accounts of the Department; to control, according to law, and subject to the settlement of the Auditor, the allowances to postmasters, the expenses of post offices, and all other expenses incident to the service of the Department; to regulate and direct the payment of the said allowances and expenses for which appropriations have been made: to superintend the disposition of the proceeds of post offices and other moneys of the Department; to prescribe the manner in which postmasters shall pay over their balances; to grant warrants for money to be paid into the Treasury, and out of the same, in pursuance of

Duties of the  
Postmaster General.

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\*Authority for the Auditor and Chief Engineer to frank—repealed by the 5th section of the act of 3d March, 1845.

**Provide.**

appropriations by law, to persons to whom the same shall be certified to be due by the said Auditor: *Provided*, That advances of necessary sums to defray expenses may be made by the Postmaster General to agents of the Department employed to investigate mail depredations, examine post routes and post offices, and perform other like services, to be charged by the Auditor for the Post Office Department, and be accounted for in the settlement of their accounts.

**Other duties of the Auditor.**

SEC. 10. *And be it further enacted*, That the Auditor for the Post Office Department shall state and certify, quarterly, to the Postmaster General, accounts of the moneys paid pursuant to appropriations, in each year, by postmasters out of the proceeds of their offices, towards the expenses of the Department, under each of the heads of the said expenses specified in the second section of this act; upon which the Postmaster General shall issue warrants to the Treasurer of the United States, as in case of the receipt and payment of the said moneys into and out of the Treasury, in order that the same may be carried to the credit and debit of the appropriation for the service of the Post Office Department, on the books of the Auditor for said Department.

**Duplicates of contracts, &c.**

SEC. 11. *And be it further enacted*, That the Postmaster General shall, within sixty days after the making of any contract, cause a duplicate thereof to be lodged in the office of the Auditor of the Post Office Department. Upon the death, resignation, or removal of any postmaster, he shall cause his bond of office to be delivered to the said Auditor; and shall also cause to be promptly certified to him all establishments and discontinuances of post offices, and all appointments, deaths, resignations, and removals of postmasters, together with all orders and regulations which may originate a claim, or in any manner affect the accounts of the Department.

**Accounts, how to be kept.**

SEC. 12. *And be it further enacted*, That the accounts of the Post Office Department shall be kept in such manner as to exhibit the amounts of its revenues, derived respectively from "letter postages," "newspapers and pamphlets," and "fines;" and the amount of its expenditures, for each of the following objects,

namely: "compensation of postmasters," "transportation of the mails," "ship, steamboat, and way letters," "wrapping paper," "office furniture," "advertising," "mail bags," "blanks, mail locks, keys, and stamps," "mail depredations and special agents," "clerks for offices," and "miscellaneous."\*

SEC. 13. *And be it further enacted*, That the bonds and contracts of postmasters, mail contractors, and other agents of the Post Office Department, shall hereafter be made to and with the United States of America; and all suits to be commenced for the recovery of debts or balances due by postmasters and others, or upon bonds or contracts made to or with the present or any former Postmaster General, or for any fines, penalties, or forfeitures, imposed by the laws respecting the Post Office Department, or by the Postmaster General, pursuant thereto, shall be instituted in the name of the United States of America; and the demands in such suits shall have all the privileges and priorities† in adjudication and payment secured to other claims of the United States by the existing laws; *Provided*, That actions and suits which may have been instituted in the name of the Postmaster General, previous to the passage of this act, shall not be affected by the provisions of this section.

Bonds and contracts with the U. States, and all suits in its name.

Proviso.

SEC. 14. *And be it further enacted*, That the Auditor of the Post Office Department shall superintend the collection of all debts due to the Department and all penalties and forfeitures imposed on postmasters for failing to make returns, or pay over the proceeds of their offices; he shall direct suits and legal proceedings, and take all such measures as may be authorized by law to enforce the prompt payment of moneys due to the Department.

Auditor to superintend collection of debts.

SEC. 15. *And be it further enacted*, That copies of the quarterly returns of postmasters, and of any papers pertaining to the accounts in the office of the Auditor for the Post Office Department, certified by him, under his seal of office, shall be admitted as evidence in the courts of the United States; and in every case of

Certified copies of quarterly returns, &c. to be evidence, &c.

\*Estimates under above heads to be submitted to Congress—see 2d section of this act.

†For priority of payment to the U. S.—see act of 3d March, 1797.

delinquency of any postmaster or contractor, in which suit may be brought, the said Auditor shall forward to the Attorney of the United States certified copies of all papers in his office tending to sustain the claim; and in every such case a statement of the account, certified as aforesaid, shall be admitted as evidence, and the court trying the cause shall be thereupon authorized to give judgment and award execution, subject to the provisions of the thirty-eighth section of the act to reduce into one the several acts establishing and regulating the Post Office Department, approved March third, eighteen hundred and twenty-five. No claim for a credit shall be allowed upon the trial but such as shall have been presented to the said Auditor, and by him disallowed in whole or in part, unless it shall be proved to the satisfaction of the court that the defendant is at the time of the trial in possession of vouchers not before in his power to procure and that he was prevented from exhibiting to the said Auditor a claim for such credit, by some unavoidable accident. In suits for balances due from postmasters, interest at the rate of six per centum per annum shall be recovered, from the time of the default until payment.\*

Duties of U. S.  
Attorney.

SEC. 16. *And be it further enacted*, That the Attorneys of the United States, in the prosecution of suits for moneys due on account of the Post Office Department, shall obey the directions which may, from time to time, be given to them by the Auditor for the Post Office Department; and it shall be the duty of each of the said attorneys, immediately after the end of every term of any court in which any of the suits aforesaid shall have been pending, to forward to the said Auditor a statement of all the judgments, orders, and steps which have been made or taken in the same during the said term, accompanied by a certificate of the clerk showing the parties to, and amount of, each judgment, with such other information as may be required by the said Auditor. The said attorneys shall direct speedy and effectual process of execution upon the said judgments; and it shall be the duty of the mar-

\*For antecedent provisions upon this subject—see 31st and 32d sections of the act of 3d March, 1825.

shals of the United States to whom the same shall be directed, to make to the said Auditor, at such times as he may direct, returns of the proceedings which have taken place upon the said process of execution.

SEC. 17. *And be it further enacted,* That in all cases where any sum or sums of money have been paid out of the funds of the Post Office Department to any individual or individuals, under pretence that service has been performed therefor when in fact such service has not been performed, or by way of additional allowance for increased service actually rendered, when the additional allowance exceeds the sum which, by the provisions of law, might rightfully have been allowed therefor, and in all other cases where the moneys of the Department have been paid over to any person in consequence of fraudulent representations, or by the mistake, collusion, or misconduct of any officer or clerk of the Department, it shall be the duty of the Postmaster General to cause suit to be brought, in the name of the United States of America, to recover back the same, or the excess, as the case may be, with interest thereon.

Sums wrongfully paid to be recovered by suit.

SEC. 18. *And be it further enacted,* That the Auditor for the Post Office Department shall adjust and settle all balances due from postmasters on account of transactions prior to the first day of July, eighteen hundred and thirty-six. He shall, when necessary, institute suits for the same, and cause them to be effectually prosecuted to judgment and execution; and in cases in which proceedings at law for these or any other balances that are or may become due on account of the Post Office Department, have been or shall be fruitless, may direct the institution of suits in chancery, to set aside fraudulent conveyances or trusts, or attach debts due to the defendants, or obtain any other proper exercise of the powers of equity, to have satisfaction of the said judgments; and the courts of the United States, sitting in chancery, shall have jurisdiction to entertain such bills, and make such decrees and orders thereupon as may be consonant to the principles and usages of equity. The said Auditor shall report to the Postmaster General, to be by him submitted to Congress, at its next annual session, a statement of all

Auditor to adjust balances due from postmasters, &c.

the balances and debts due to the Post Office Department as aforesaid, by late postmasters, showing, in each case, the name and office of the principal debtor, the names of the sureties, if any, the amount of the debt, the time at which it accrued, the steps taken to collect the same, and whether they have been successful or not. The said statement shall also classify such of the said balances as may then remain due, into such as are considered collectible, and such as are not, with the whole amount of each class.

Auditor, mayors,  
&c., may administer  
oaths, &c.,

SEC. 19. *And be it further enacted*, That the Auditor for the Post Office Department, or any mayor of a city, justice of the peace, or judge of any court of record in the United States, by him especially designated, shall be authorized to administer oaths and affirmations, in relation to the examination and settlement of the accounts committed to his charge; and if any person shall knowingly swear or affirm falsely, touching the expenditures of the Post Office Department, or in relation to any account of, or claim against, or in favor of, the said Department, he or she shall, upon conviction thereof, suffer as for wilful and corrupt perjury.

Third Assistant  
Postmaster General.

SEC. 20. *And be it further enacted*, That there shall be employed by the Postmaster General a Third Assistant Postmaster General,\* who may receive and send letters and packets free of postage.†

Reports to be  
made to Congress  
by the Postmaster  
General.

SEC. 22. *And be it further enacted*, That it shall be the duty of the Postmaster General to make to Congress, at each annual session thereof, the following several reports:

*First.* A report of all contracts made for the transportation of the mail within the preceding year, stating in each case of contract its date and duration, the name of the contractor, the route or routes embraced in the contract, with the length of each, with the times of arrival and departure at the ends of each route, the mode of transportation contracted for, and the price stipula-

\* Two Assistants provided by the 1st section of the act of 3d March, 1825.

† Franking privilege repealed by the 5th section of the act of 3d March, 1845, and other provisions substituted by the 6th section of the same act.

ted to be paid by the Department ; also, a statement of all such land and water mails as may have been established or ordered by the Department within the year preceding, other than those let to contract at the annual lettings of mail contracts, specifying, in each case, the route or water course on which the mail is established, the name of the person employed to transport it, the mode of transportation, the amount paid or to be paid, and the proposed duration of the order or contract.\*

*Second.* A report of all allowances made to contractors, within the year preceding, beyond the sums originally stipulated in their respective contracts, and the reasons for the same ; and of all orders made by the Department, whereby additional expense is, or will be incurred, beyond the original contract price on any land or water route, specifying, in each case, the route to which the order relates, the name of the contractor, the original service provided by the contract, the original price, the date of the order for additional service, the additional service required, and the additional allowance therefor ; also, a report of all curtailments of expenses effected by the Department within the preceding year, specifying, in each case, the same particulars as required in cases of additional allowances.

*Third.* A report of all incidental expenses of the Department for the year ending on the thirtieth day of June preceding, arranged according to the several objects, as for "wrapping paper," "office furniture," "advertising," "mail bags," "blanks," "mail locks, keys, and stamps," "mail depredations, and special agents," "clerks for offices," "miscellaneous," showing the sum paid under each head of expenditures, and the names of the persons to whom paid, except only that the names of the persons employed in detecting depredations on the mail, and other confidential agents, need not be disclosed in said report.

*Fourth.* A report of the finances of the Post Office Department for the year ending on the thirtieth day of June preceding, showing the whole amount of balances due to the Department at the beginning of the

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\* For general report of contracts, see act of 21st April, 1808.



year, from the postmasters and all others, the whole amount of postage that accrued within the year, the whole amount of the engagements and liabilities of the Department for mail transportation during the year, the amount actually paid during the year, for and on account of mail transportation, and otherwise, stating separately so much of the said amount as may have been paid on account of the transportation of the mail, and for other debts for the same object, in preceding years.

*Fifth.* A report of all fines imposed, and deductions from the pay of contractors made during the preceding year, for failures to deliver the mail, or for any other cause, stating the names of the delinquent contractors, the nature of the delinquency, the route on which it occurred, the time when it occurred, the time when the fine was imposed, and whether the fine has been remitted, or order for deduction rescinded, and for what reason.

Advertisements  
for contracts, and  
regulations re-  
specting them.

SEC. 23. *And be it further enacted,* That it shall be the duty of the Postmaster General, before advertising for proposals for the transportation of the mail, to form the best judgment practicable as to the mode, time, and frequency of transportation on each route, and to advertise accordingly. No consolidated or combination bid shall be received, and no additional compensation shall be made to any mail contractor, so as that the compensation for additional regular service shall exceed the exact proportion which the original compensation bears to the original services stipulated to be performed; and no extra allowance shall be made to any contractor, by the Postmaster General, for an increase of expedition in the transportation of the mail, unless thereby the employment of additional stock or carriers, by the contractor, shall be rendered necessary; and in such case, the additional compensation shall never bear a greater proportion to the additional stock or carriers rendered necessary, than the sum stipulated in the original contract bears to the stock and carriers necessarily employed in its execution; and when any extra service shall be ordered, the amount of the allowance therefor, in dollars and cents, shall be signified in the order for such service, and be forthwith entered upon the books of the Post Office Department, and no additional compensation shall be paid for any extra

regular service rendered before the issuing of such order, and the making of such entry; and every order, entry, or memorandum whatever, on which any action of the Department is to be had, allowance made, or money paid, and every contract, paper or obligation drawn up in said office, by any officer thereof, shall have affixed to it its true date; and every paper relating to contracts or allowances filed in said office shall have the date of its filing endorsed thereon. And whenever it shall become necessary to change the terms of any existing contract in any other manner than that designated in this act, or to enter into a contract for the transportation of the mail at any other time than at the annual letting, the Postmaster General shall give notice\* in one newspaper published at Washington City, and in one newspaper published as near as may be to the route on which the services are to be performed, for at least four weeks before changing or making such contract, inviting proposals therefor; which proposals shall be received and opened, and such proceedings thereon had, in all things as at the annual lettings: *Provided, however,* That the Postmaster General may make temporary contracts until a regular letting can take place.†

Proviso.

SEC. 24. *And be it further enacted,* That proposals for mail contracts shall be delivered to the Department sealed, and shall be kept sealed until the biddings are closed, and shall then be opened and marked in the presence of the Postmaster General and of one of the Assistant Postmasters General, or in the presence of two of the Assistant Postmasters General. And the contracts in all cases shall be awarded to the lowest bidder, except‡ when his bid is not more than five per centum below that of the last contractor, on the route bid for, who shall have faithfully performed his contract: *Provided, however,* That the Postmaster Gene-

Proposals for contracts.

Proviso.

\* For further provisions for advertising for mail contracts—See 10th section of the act of 3d March, 1825, and 12th section of the act of 3d March, 1845.

† For antecedent restrictions upon additional allowances—See 43d section of the act of 3d March, 1845.

‡ Superseded by provisions of the 18th section of the act of 3d March, 1845.

ral shall not be bound to consider the bid of any person who shall have wilfully or negligently failed to execute or perform a prior contract.

Offers for carrying the mail to be recorded.

SEC. 25. *And be it further enacted*, That it shall be the duty of the Postmaster General to have recorded in a well bound book, a true and faithful abstract of offers made to him for carrying the mail, embracing as well those which are rejected, as those which are accepted. The said abstract shall contain the names of the party or parties offering, the terms on which he or they propose to carry the mail, the sum for which it is offered to contract, and the length of time the agreement is to continue. And it shall also be the duty of the Postmaster General to put on file and preserve the originals of the propositions of which abstracts are here directed to be made, and to report at each session of Congress a true copy from the said record of all offers made for carrying the mail as aforesaid.

Persons employed in post office not to be interested in contracts.

SEC. 26. *And be it further enacted*, That if any person employed in the Post Office Department, or postmaster, shall become interested in any mail contract, or act as agent, with or without compensation, in any matter or thing relating to business in said Department, for any contractor, or person offering to become a contractor, he shall be forthwith dismissed from office, and shall be liable to pay so much money as would have been realized from said contract, to be recovered in an action of debt in any court having jurisdiction thereof, in the name of the United States, for the use of the Post Office Department; and it shall be the duty of the Postmaster General to cause prosecution to be instituted.\*

Proposals for transporting the mail to be accompanied by a guaranty.

SEC. 27. *And be it further enacted*, That every proposal for the transportation of the mail shall be accompanied by a written guaranty, signed by one or more responsible persons, to the effect that he or they undertake that the bidder or bidders will, if his or their bid be accepted, enter into an obligation, in such time as may be prescribed by the Postmaster General, with good and sufficient sureties, to perform the service

\* By the 42d section of the act of 2d July, 1836, no postmaster, assistant postmaster, or clerk, can be a contractor, or concerned in a contract.

proposed. No proposal shall be considered, unless accompanied by such guaranty. If after the acceptance of a proposal, and notification thereof to the bidder or bidders, he or they shall fail to enter into an obligation within the time prescribed by the Postmaster General, with good and sufficient sureties for the performance of the service, then the Postmaster General shall proceed to contract with some other person or persons, for the performance of the said service, and shall forthwith cause the difference between the amount contained in the proposal so guaranteed, and the amount for which he may have contracted for the performance of said service, for the whole period of the proposal, to be charged up against the said bidder or bidders, and his or their guarantor or guarantors, and the same may be immediately recovered by the United States, for the use of the Post Office Department, in an action of debt against either or all of the said persons.\*

SEC. 28. *And be it further enacted*, That no contract for the transportation of the mail shall knowingly be made by the Postmaster General, with any person who shall have entered into any combination, or proposed to enter into any combination, to prevent the making of any bid for a mail contract by any other person or persons; or who shall have made any agreement, or shall have given or performed, or promised to give or perform, any consideration whatever, or to do or not to do anything whatever, in order to induce any other person or persons not to bid for a mail contract. And if any person so offending be a mail contractor, he may be forthwith dismissed from the service of the Department: *Provided*, That whenever the Postmaster General shall exercise the power conferred on him by this section, he shall transmit a copy or statement of the evidence on which he acts to Congress, at its next session.

Contracts not to be made with persons who have entered into combination.

Proviso.

SEC. 29. *And be it further enacted*, That no person whose bid for the transportation of the mail may be accepted, shall receive any pay, until he shall have executed his contract according to law and the regula-

No payment to be made until after execution of contract.

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\* Antecedent provisions to secure the object proposed by this section, contained in the 44th section of the act of 3d March, 1825.

tions of the Department ; nor shall any payment be made for any additional regular service in the transportation of the mail, unless the same shall have been rendered in obedience to a prior legal order of the Postmaster General.

Part of act of March 3, 1825, repealed.

SEC. 30. *And be it further enacted*, That so much of the act concerning the Post Office Department, approved March third, eighteen hundred and twenty-five, as directs that duplicates or copies of contracts or orders made by the Postmaster General shall be lodged in the office of the Comptroller of the Treasury, be repealed.

Postmasters to be furnished with schedule of times of arrival and departure.

SEC. 31. *And be it further enacted*, That it shall be the duty of the Postmaster General to furnish to the postmasters at the termination of each route, a schedule, specifying the times of arrival and departure at their offices, respectively, of each mail, a copy of which the postmaster shall post up in some conspicuous place in his office ; and the Postmaster General shall also furnish a notice in like manner, of any change or alteration in the arrivals and departures which may be ordered by him. And it shall be the duty of every postmaster promptly to report to the Department every delinquency, neglect, or malpractice of the contractors, their agents or carriers, that may come to his knowledge. And the Postmaster General shall cause to be kept, and returned to the Department, at short and regular intervals, by postmasters at the ends of routes, and such others as he may think proper, registers, showing the exact times of the arrivals and departures of the mails.\*

\*Penalty for detaining letters, &c. in a post office.

SEC. 32. *And be it further enacted*, That if any postmaster shall unlawfully detain in his office any letter, package, pamphlet, or newspaper, with intent to prevent the arrival and delivery of the same to the person or persons to whom such letter, package, pamphlet or newspaper may be addressed or directed in the usual course of the transportation of the mail along the route ; or if any postmaster shall, with intent as aforesaid, give a preference to any letter, package, pamphlet, or newspaper, over another which may pass through his office,

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\*The 13th section of the act of 3d March, implies that registers are kept by providing compensation for the monthly returns.

by forwarding the one and retaining the other, he shall, on conviction thereof, be fined in a sum not exceeding five hundred dollars, and imprisoned for a term not exceeding six months, and shall, moreover, be forever thereafter, incapable of holding the office of postmaster in the United States.\*

SEC. 33. *And be it further enacted*, That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a deputy postmaster for each post office at which the commissions allowed to the postmaster amounted to one thousand dollars or upwards in the year ending the thirtieth day of June, one thousand eight hundred and thirty-five, or which may, in any subsequent year, terminating on the thirtieth day of June, amount to or exceed that sum, who shall hold his office for the term of four years, unless sooner removed by the President.†

Certain postmasters to be appointed by and with the consent of the Senate.

SEC. 34. *And be it further enacted*, That assistant postmasters and clerks regularly employed and engaged in post offices, shall be exempt from militia duty, and serving on juries, and from any fine or penalty for neglect thereof.‡

Postmasters and clerks to be exempt from military duty.

SEC. 36. *And be it further enacted*, That no postmaster shall receive free of postage, or frank§ any letter or packet composed of, or containing anything other than paper or money; and for a violation of this provision, the offender shall be dismissed from office, and upon conviction in any court of competent jurisdiction, pay a fine of twenty dollars. And no person shall hold the office of postmaster who shall not be an actual resident of the city or town wherein the office is situated, or the district of country usually supplied by said office.

Postmasters not to receive or frank any package other than such as contain paper or money.

\* Kindred provisions in respect to persons employed in any of the departments of the post office establishment, contained in the 21st section of the act of 3d March, 1825.

† This is an exception to the general authority of the Postmaster General to appoint, contained in the first section of the act of 3d March, 1825.

‡ Postmasters, post riders, and drivers exempted by 35th section of the act of 3d March, 1825.

§ So much of this section as gives authority to frank is repealed by the 5th section of the act of 3d March, 1845, and a new privilege conferred on all postmasters by the 6th section of the act of 3d March, 1845, and again, on certain postmasters by the 1st section of the act of 1st March, 1847.

Release of sureties of a postmaster.

SEC. 37. *And be it further enacted*, That when any one or more of the sureties of a postmaster shall notify to the Postmaster General their desire to be released from their suretyship, or when the Postmaster General shall deem it necessary, he shall require the said postmaster to execute a new bond, with security which, when accepted by the Postmaster General, shall be as valid as the bond given upon the original appointment of said postmaster, and the sureties in the prior bond shall be released from responsibility for all acts or defaults of said postmaster, which may be done or committed subsequent to the acceptance of the new bond, the date of which shall be endorsed thereon: *Provided*, That payments made subsequent to the execution of the new bond by said postmaster shall be applied first to discharge any balance which may be due on the old bond, unless he shall, at the time of payment, expressly direct them to be applied to the credit of his new account.\*

Proviso.

Penalty for stealing or taking letters, &c. from the mail.

SEC. 38. *And be it further enacted*, That if any person shall be accessory after the fact, to the offence of stealing or taking the mail of the United States, or of stealing or taking any letter or packet, or enclosure in any letter or packet sent or to be sent in the mail of the United States, from any post office in the United States, or from the mail of the United States, by any person or persons whatever, every person so offending as accessory, shall, on conviction thereof, pay a fine not exceeding one thousand dollars, and be imprisoned for a term not exceeding five years; and such accessory after the fact may be tried, convicted, and punished in the district in which his offence was committed, though the principal offence may have been committed in another district, and before the trial of the principal offender: *Provided*, such principal offender has fled from justice, or cannot be arrested to be put upon his trial.†

Proviso.

Express mail.

SEC. 39. *And be it further enacted*, That in case the Postmaster General shall deem it expedient to

\* See note to 3d section of the act of 3d March, 1825.

† For the offence of stealing and of aiding and abetting—see 21st and 45th sections of the act of 3d March, 1825.

establish an express mail, in addition to the ordinary mail, on any of the post roads in the United States, for the purpose of conveying slips from newspapers in lieu of exchange newspapers, or letters, other than such as contain money, not exceeding half an ounce in weight, marked "express mail," and public despatches, he shall be authorized to charge all letters and packets carried by such express mail with triple the rates of postage to which letters and packets, not free, may be by law subject, when carried by the ordinary mails.

SEC. 40. *And be it further enacted*, That in case of the death, resignation, or absence of the Postmaster General, all his powers and duties shall devolve, for the time being, on the First Assistant Postmaster General.\*

Duties of P. M. Gen'l to devolve on Assis. P. M. G.

SEC. 41. *And be it further enacted*, That the Postmaster General shall be authorized whenever the same may be proper for the accommodation of the public in any city, to employ† letter carriers for the delivery of letters received at the post office in said city; except such as the persons to whom they are addressed may have requested, in writing, addressed to the postmaster, to be retained in the post office; and for the receipt of letters at such places in the said city as the Postmaster General may direct, and for the deposit of the same in the post office; and for the delivery by a carrier of each letter received from the post office, the person to whom the same may be delivered shall pay not exceeding two cents; and for the delivery of each newspaper and pamphlet, one half cent; and for every letter received by a carrier to be deposited in the post office, there shall be paid to him, at the time of the receipt, not exceeding two cents; all of which receipts, by the carriers in any city, shall, if the Postmaster General so direct, be accounted for to the postmaster of said city, to constitute a fund for the compensation

Letter Carriers.

\*For a less comprehensive provision upon this subject—see 1st section of the act of 3d March, 1825.

†Prior provision for letter carriers contained in 36th section of the act of 3d March, 1825, and subsequent in 2d section of the act of 2d May, 1829, and 10th section of the act of 3d March, 1851—for California and Oregon in the 2d section of 2d act of 3d March, 1851.



of the said carriers, and be paid to them in such proportions and manner as the Postmaster General may direct. Each of the said carriers shall give bond with sureties, to be approved by the Postmaster General, for the safe custody and delivery of letters, and for the due account and payment of all moneys received by him.

Carrying mails on  
canals.

SEC. 42. *And be it further enacted*, That the Postmaster General shall be authorized, in his discretion, to contract for carrying the mail on the navigable canals of the several States, in all cases where, in his opinion, the public interest and convenience shall require it; and for the time during which mails may be carried on such canals, or any parts thereof, the same are hereby declared to be post roads.

Act to go into  
immediate effect.

SEC. 46. *And be it further enacted*, That this act shall be in force and take effect from the passage thereof.

APPROVED, *July 2, 1836.*

## AN ACT

To establish certain Post Routes, and to discontinue others.

SEC. 2. *And be it further enacted*, That each and every railroad within the limits of the United States, which now is, or hereafter may be made and completed, shall be a post route; and the Postmaster General shall cause the mail to be transported thereon, provided he can have it done upon reasonable terms, and not paying therefor, in any instance, more than twenty-five per centum over and above what similar transportation would cost in post coaches.\*

APPROVED, *July 7, 1838.*

## AN ACT

Further to regulate the Transportation of the Mail upon Railroads.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress as—*

\* For further restrictions upon compensation of railroads—see act of 25th January, 1839, and 19th section of the act of 3d March, 1845.

*sembled*, That the Postmaster General shall not by virtue of the authority vested in him by the second section of the "Act to establish certain post routes, and to discontinue others," approved July 7th, 1838, allow more than three hundred dollars per mile, per annum, to any railroad company in the United States, for the conveyance of one or more daily mails upon their roads: *Provided*, That nothing in this act contained shall be construed so as in any way to remove or impair the limitations upon the power of the Postmaster General, imposed by that section.\*

APPROVED, *January 25*, 1839.

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## AN ACT

Making appropriations for the Civil and Diplomatic expenses of Government, for the year 1839.

SEC. 3. *And be it further enacted*, That† no officer in any branch of the public service, or any other person whose salaries, or whose pay or emoluments is or are fixed by law and regulations, shall receive any extra allowance or compensation, in any form whatever, for the disbursement of public money, or the performance of any other services, unless the said extra allowance or compensation be authorized by law.

APPROVED, *March 3*, 1839.

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## AN ACT

Making appropriations for the Civil and Diplomatic expenses of Government for the year eighteen hundred and forty-two.

SEC. 2. *Provided, however*, That in addition to returns now required to be rendered by postmasters, it shall be the duty of postmasters at New York, Boston, Philadelphia, Baltimore, and New Orleans, and the other several cities of the Union, each and every year

Postmasters to make returns of all emoluments received from boxes, &c.

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\* For further restrictions upon compensation of railroads—see act of 7th July, 1838, and 19th section of the act of 3d March, 1845.

† Further restriction on Executive Officers and Clerks—contained in 12th and 16th sections of the act of 26 August, 1842.

If the net receipts exceed \$3,000 a year, the excess shall be paid to the Postmaster General, for the use of the Department.

No postmaster to receive more than \$5,000 a year, salary included.

hereafter, to render a quarter yearly account to the Postmaster General, under oath, in such form as the latter shall prescribe, for the purpose of giving full effect to this proviso, of all emoluments or sums by them respectively received for boxes or pigeon-holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers at or from any place in either of said cities, other than the actual post office of such city; and of all emoluments, receipts and profits, that have come to their hands by reason of keeping branch post offices in either of said cities; and if, from such accounting, it shall appear that the net amount received by either of the postmasters at either of such cities, for such boxes, and pigeon-holes, and other receptacles for letters and papers, and for delivering letters or papers at or from any place in either of said cities, other than said post office, and by reason of keeping a branch post office in either of said cities, shall, in the aggregate, exceed the sum of three thousand dollars in any one year, such excess shall be paid to the Postmaster General, for the use and purposes of the Post Office Department; and no postmaster shall, hereafter, under any pretence whatsoever, have, or receive, or retain for himself, in the aggregate, more than five thousand dollars per year, including salary, commissions, boxes, and all other fees, perquisites, and emoluments, of any name or character whatsoever, and for any service whatsoever.\*

APPROVED, *May 18, 1842.*

## AN ACT

Legalizing and making appropriations for such necessary objects as have been usually included in the general appropriation bills without authority of law, and to fix and provide for certain incidental expenses of the departments and offices of Government, and for other purposes.

**SEC. 11.** *And be it further enacted,* That it shall be

\*Receipts from boxes limited by 13th section of the act of 3d March, 1847, to \$2,000 per annum, and surplus to be applied to expenses of office, &c., to be accounted for in like manner as commissions.

the duties of the Secretaries of State, of the Treasury, War, and Navy, of the Commissioners of the Navy, of the Postmaster General, of the Secretary of the Senate, and of the Clerk of the House of Representatives, to report to Congress, at the beginning of each year, the names of the clerks and other persons that have been employed, respectively, during the preceding year, or any part thereof, in their respective departments and offices, together with the time that each clerk or other person was actually employed, and the sums paid to each; and also whether they have been usefully employed; whether the services of any of them can be dispensed with without detriment to the public service; and whether the removal of any individuals, and the appointment of others in their stead, is required for the better despatch of business; and no greater allowance shall be made to any such clerk, or other person, than is or may be authorized by law, except to watchmen and messengers, for any labor or services required of them beyond the particular duties of their respective stations, rendered at such times as does not interfere with the performance of their regular duties.

Report of clerks and other persons employed to be annually made to Congress.

SEC. 12. *And be it further enacted*, That no\* allowance or compensation shall be made to any clerk, or other officer, by reason of the discharge of duties which belong to any other clerk or officer in the same or any other department; and no allowance or compensation shall be made for any extra services whatever which any clerk or other officer may be required to perform.

No allowance to be made for extra services.

SEC. 13. *And be it further enacted*, That it shall be the duty of each chief or principal clerk in the respective departments, bureaus, and other offices, to supervise, under the direction of his immediately superior officer, the duties of the other clerks therein, and to see that their duties are faithfully executed, and that such duties are distributed with equality and uniformity, according to the nature of the case. And such distribution shall be revised from time to time,

Duty of chief clerks to supervise the duties of other clerks, &c.

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\* See general restrictions in 3d section of the act of 3d March, 1839.

by the said chief or principal clerk, for the purpose of correcting any tendency to undue accumulation or reduction of duties, whether arising from individual negligence or incapacity, or from increase or diminution of particular kinds of business; and such chief or principal clerk shall report monthly to his superior officer any existing defect that he may be aware of in the arrangement or despatch of business; and such defect shall be amended by new arrangements of duties, dismissal of negligent or incompetent officers, or otherwise.

Manner in which estimates are to be communicated to Congress.

SEC. 14. *And be it further enacted*, That it shall be the duty of the several heads of departments, in communicating estimates of expenditures and appropriations to Congress, and to any of the committees thereof, to specify as nearly as may be convenient, the sources from which such estimates are derived, and the calculations upon which they are founded; and, in so doing to discriminate between such estimates as are conjectural in their character, and such as are framed upon actual information and application from disbursing officers; and in communicating the several estimates, reference shall be given to the laws and treaties by which they are authorized, the dates thereof, and the volume, page and section in which the necessary provisions are contained.

Employment of extra clerks.

SEC. 15. *And be it further enacted*, That no extra clerk shall be employed in any department, bureau, or office, at the seat of Government, except during the session of Congress, or when indispensably necessary to enable such department, bureau, or office, to answer some call made by either House of Congress at one session, to be answered at another, and not then, except by order of the head of the department in which, or in some bureau or office of which such extra clerk shall be employed; and no such extra clerk, for copying shall receive more than three dollars per day, or for any other service more than four dollars per day, for the time actually and necessarily employed.

Employment of messengers, laborers, &c.

SEC. 16. *And be it further enacted*, That no messenger, assistant messenger, laborer, or other person, shall be employed in any department, bureau, or office, at the seat of Government, or paid out of the contin-

gent fund appropriated to such department, bureau, or office, unless such employment shall be authorized by law, or shall become necessary to carry into effect some object for which appropriations may be specifically made; and not exceeding one hundred dollars per annum shall be applied by each department (except the Department of State) for the purchase of newspapers for such department, and all the bureaus and offices connected therewith; and such papers shall be preserved as files for said department.

Purchase of  
newspapers.

SEC. 17. *And be it further enacted*, That all stationery, of every name and nature, for the use of the two Houses of Congress, and all stationery and job printing, of every name and nature, for the use of the several departments of the Government, and for the bureaus and offices in those departments at Washington, including all stationery, blanks, wrapping paper, and twine, and mail bags, furnished the post offices and collectors' offices throughout the United States, shall hereafter be furnished and performed by contract, by the lowest bidder, as follows: the Secretary of the Senate, the Clerk of the House of Representatives, the head of each department, and such deputy postmasters in the Post Office establishment, and such collectors in the custom-house establishment, as the Postmaster General and the Secretary of the Treasury shall respectively designate for that purpose, shall respectively advertise, once a week, for at least four weeks, in one or more of the principal papers published in the places where such articles are to be furnished, or such printing done, for sealed proposals for furnishing such articles, or the whole of any particular class of articles, or for doing such printing, or the whole of any specified job thereof, to be done at such place, specifying in such advertisement the amount, quantity, and description of each kind of articles to be furnished, and, as near as may be, the nature, amount, and kind of printing to be done; and all such proposals shall be kept sealed until the day specified in such advertisement for opening the same, when they shall be opened, by or under the direction of the officer making such advertisement, in the presence of at least two persons; and the person offering to furnish any class of such

Stationery and  
job printing to be  
furnished and per-  
formed by contract.

articles, or to perform any specified portion or job of said work, and giving satisfactory security for the performance thereof, under a forfeiture not exceeding twice the contract price in case of failure, shall receive a contract for doing the same; and in case the lowest bidder shall fail to enter into such contract, and give such security within a reasonable time, to be fixed in such advertisement, then the contract shall be given to the next lowest bidder who shall enter into such contract and give such security. And in case of a failure to supply the articles or to perform the work, by the person entering into such contract, he and his sureties shall be liable for the forfeiture specified in such contract, as liquidated damages, to be sued for in the name of the United States, in any court having jurisdiction thereof.

Bids and proposals to be preserved, &c.

SEC. 18. *And be it further enacted*, That all such bids or proposals shall be returned by the person authorized, as aforesaid, to receive the same, to the Executive Department from which such authority is derived, and shall be preserved in said Department, subject to such examination as Congress may at any time order and direct.

Relative to the purchase of books, &c.

SEC. 19. *And be it further enacted*, That no part of the contingent fund appropriated to any department, bureau, or office, shall be applied to the purchase of books, periodicals, pictures, or engravings, or other thing, except such books, periodicals, and maps, or other thing, as the head of such department shall deem necessary and proper to carry on the business of such department, and shall, by written order, direct to be procured for that purpose.

Detailed statement of the manner in which the contingent funds have been expended to be reported to Congress.

SEC. 20. *And be it further enacted*, That it shall be the duty of the Secretary of the Senate, at the commencement of every regular session of Congress, to report to the Senate, and of the Clerk of the House of Representatives to report to the House, and of the head of each department to report to Congress, a detailed statement of the manner in which the contingent fund for each House, and of their respective departments, and for the bureaus and offices therein, has been expended, giving the names of every person to whom any portion thereof has been paid; and if for anything

furnished, the quantity and price ; and if for any services rendered, the nature of such service, and the time employed, and the particular occasion or cause, in brief, that rendered such service necessary ; and the amount of all former appropriations in such case on hand, either in the Treasury or in the hands of any disbursing officer or agent. And they shall require of the disbursing officers, acting under their direction or authority, the return of precise and analytical statements and receipts for all the moneys which may have been, from time to time, during the next preceding year, expended by them ; and the results of such returns, and the sums total shall be communicated annually to Congress, by the said officers, respectively.

APPROVED, *August 26, 1842.*

## AN ACT

Regulating the currency of foreign coins in the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this act, foreign gold and silver coins shall pass current as money within the United States, and be a legal tender for the payment of all debts and demands, at the several and respective rates following, and not otherwise, viz : The gold coins of Great Britain and Portugal, of their present standard, at the rate of one hundred cents for every twenty-seven grains of the actual weight thereof ; the gold coins of France, Spain, and the dominions of Spain, of their present standard, at the rate of one hundred cents for every twenty-seven grains and two-fifths of a grain of the actual weight thereof ; Spanish milled dollars, at the rate of one hundred cents for each, the actual weight whereof shall not be less than seventeen pennyweights and seven grains, and in proportion for the parts of a dollar ; crowns of France, at the rate of one hundred and ten cents for each crown, the actual weight whereof shall not be less than eighteen pennyweights and seventeen grains, and in proportion for the parts of a crown.

After the 10th of April, 1806, foreign gold and silver coins to be a legal tender for the payment of all debts and demands, at the rates specified, &c., &c.

Rates of foreign gold.

Rates of foreign silver coins.

APPROVED, *April 10, 1806.*



## AN ACT

Regulating the value of certain foreign silver coins within the United States.

Certain silver  
coin to pass by  
tale.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the passage of this act, the following silver coins shall be of the legal value, and shall pass current as money within the United States, by tale, for the payment of all debts and demands, at the rate of one hundred cents the dollar; that is to say, the dollars of Mexico, Peru, Chili, and Central America, of not less weight than four hundred and fifteen grains each, and those re-stamped in Brazil, of the like weight, of not less fineness than ten ounces, fifteen pennyweights of pure silver in the Troy pound of twelve ounces of standard silver, and the five franc pieces of France, when of not less fineness than ten ounces and sixteen pennyweights in twelve ounces Troy weight of standard silver, and weighing not less than three hundred and eighty-four grains each, at the rate of ninety-three cents each.

APPROVED, June 25, 1834.

## AN ACT

Regulating the value of certain foreign gold coins within the United States.

Standard and  
weight of coins.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That from and after the thirty-first day of July next, the following gold coins shall pass as current as money within the United States, and be receivable in all payments, by weight, for payment of all debts and demands, at the rates following, that is to say: The gold coins of Great Britain, Portugal and Brazil, of not less than twenty-two carats fine, at the rate of ninety-four cents and eight-tenths of a cent per pennyweight; the gold coins of France nine-tenths fine, at the rate of ninety-three cents and one-tenth of a cent per pennyweight; and the gold coins of Spain, Mexico and Colombia, of the fineness of twenty carats three grains and seven-sixteenths of a grain, at the

rate of eighty-nine cents and nine-tenths of a cent per pennyweight.

APPROVED, June 28, 1834.

## AN ACT

Supplementary to the act entitled "An act establishing a Mint and regulating the coins of the United States."

SEC. 9. *And be it further enacted*, That of the silver coins, the dollar shall be of the weight of four hundred and twelve and one-half grains; the half-dollar of the weight of two hundred and six and one-fourth grains; the quarter-dollar of the weight of one hundred and one-eighth grains; the dime, or tenth part of a dollar, of the weight of forty-one and a quarter grains; and the half-dime, or twentieth part of a dollar, of the weight of twenty grains and five-eighths of a grain. And that dollars, half-dollars, quarter-dollars, dimes, and half-dimes, shall be legal tenders of payment, according to their nominal value, for any sums whatever.

Weight of silver coins.

Silver coins a legal tender.

SEC. 10. *And be it further enacted*, That of the gold coins, the weight of the eagle shall be two hundred and fifty-eight grains; that of the half-eagle, one hundred and twenty-nine grains; and of the quarter-eagle, sixty-four and one-half grains; and that for all sums whatever, the eagle shall be a legal tender of payment for ten dollars; the half-eagle for five dollars; and quarter-eagle for two and a half dollars.

Weight of gold coins.

Gold coins to be a legal tender.

SEC. 11. *And be it further enacted*, That the silver coins heretofore issued at the mint of the United States, and the gold coins issued since the thirty-first day of July, one thousand eight hundred and thirty-four, shall continue to be legal tenders of payment for their nominal values, on the same terms as if they were of the coinage provided for by this act.

Gold and silver coins heretofore issued to be a legal tender.

SEC. 12. *And be it further enacted*, That of the copper coins, the weight of a cent shall be one hundred and sixty-eight grains, and the weight of the half cent, eighty-four grains. And the cent shall be considered of the value of one hundredth part of a dollar, and the half cent of the value of two hundredth parts of a dollar.

APPROVED, January 18, 1837.

## A JOINT RESOLUTION

In relation to the transmission of the British mail between Boston and Canada, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he is hereby, authorized to make such arrangements as may be deemed expedient, with the Post Office Department of the British Government, for the transmission of the British mail in its unbroken state or condition between Boston and Canada.

British mail between Boston and Canada.

Postmaster General to make postal arrangements with France and Germany.

*Be it further resolved,* That the Postmaster General be, and he is hereby, authorized to enter into such arrangement or arrangements with the proper authorities of France and Germany, and the owners or agents of vessels plying regularly between those countries and the United States, whereby a safe, and as near as possible, a regular direct mail communication, under official guaranty between the United States and the continent of Europe, viz: the ports of Bremen in Germany and Havre in France, and such other principal ports on said continent as the Postmaster General may deem most proper, shall be secured—so that the entire inland and foreign postage on letters and all other mail matter, sent over sea from, and to the United States, to and from any part of France, and of the States comprehended within the German Customs Union, and of those countries on the Continent between which and France, and of the said Germanic States, there exists a continued arrangement of the like kind, may be paid at the place where they are respectively mailed or received.

APPROVED, June 15, 1844.

## JOINT RESOLUTION

Authorizing the Postmaster General of the United States to contract with railroad companies in certain cases without advertising for proposals therefor.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General be, and he hereby is, authorized to make and enter into contracts with any railroad company for the transmission of the mail,

Authority to contract with any railroad.

without advertising for bids on such railroads, as now required by law.\*

APPROVED, *February 20, 1845.*

## AN ACT

To provide for the transportation of the mail between the United States and foreign countries, and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General of the United States be, and he is hereby authorized, under the restrictions and provisions of the existing laws, to contract for the transportation of the United States mail between any of the ports of the United States and a port or ports of any foreign power, whenever, in his opinion, the public interest will thereby be promoted; and it shall be his duty to report to the next ensuing Congress a copy of each of said contracts, with a statement of the amount of postage derived under the same, as far as the returns of the Department will enable him to do. And such contracts may be made, if it shall appear to the Postmaster General to be required by the public interest, for any greater period than four years, and not exceeding ten years.

Postmaster General to make contracts.

To report the same to Congress.

Time for which they may be made.

SEC. 2. *And be it further enacted,* That all such contracts shall be made with citizens of the United States, and the mail to be transported in American vessels, by American citizens. Each contract entered into under the provisions of this act, besides the usual stipulations for the right of the Postmaster General to discontinue the same, shall contain the further stipulation that it may, at any time, be terminated by a joint resolution of the two Houses of Congress.

Contracts to be made with American citizens and mail to be transported in American vessels.

May be discontinued by joint resolutions of Congress.

SEC. 3. *And be it further enacted,* That the rates of postage to be charged and collected on all letters, packages, newspapers, and pamphlets, or other printed matter, between the ports of the United States and the ports of foreign governments enumerated herein, transported in the United States mail under the provisions of this act, shall be as follows: Upon all letters and

Rates of postage.

\* For advertising—see note to 10th section of the act of 2d March, 1825.

Between the U.  
States and England  
or France.

Between the U.  
S. and the West  
India Islands and  
Gulf of Mexico.

Persons not al-  
lowed to carry let-  
ters, &c., in ves-  
sels employed to  
transport the mail.

Penalty.

packets not exceeding one-half ounce in weight, between any of the ports of the United States and the ports of England or France, or any other foreign port not less than three thousand miles distant, twenty-four cents,\* with the inland postage of the United States added, when sent through the United States mail to or from the post office at a port of the United States; upon letters and packets over one-half an ounce in weight, and not exceeding one ounce, forty-eight cents; and for every additional† half ounce or fraction of an ounce, fifteen cents; upon all letters and packets not exceeding one-half ounce, sent through the United States mail between the ports of the United States and any of the West India islands,‡ or islands in the gulf of Mexico, ten cents; and twenty cents upon letters and packets not exceeding one ounce; and five cents for every additional half ounce or fraction of an ounce; upon each newspaper, pamphlet, and price current, sent in the mail between the United States and any of the ports and places above enumerated, three cents, with inland United States postage added when the same is transported to or from said port of the United States in the United States mail.

SEC. 4. *And be it further enacted*, That it shall not be lawful for any person to carry or transport any letter, packet, newspaper, or printed circular or price current, (except newspapers in use, and not intended for circulation in the country to which such vessel may be bound) on board the vessels that may hereafter transport the United States mail, as provided for in this act; and for every violation of this provision, a penalty of five hundred dollars is hereby imposed, to

\* Postages on matter to or from Great Britain, and to or from other countries through the British post office, fixed by the British postal treaty. Postages to or from other foreign countries, except British North American provinces, and not through British offices, fixed directly by the act of 3d March, 1851, or by the Postmaster General, with the consent of the President in pursuance of the second section of said act.

† Scale of progression above one ounce changed by act of 3d March, 1849, but in respect to domestic letters and letters to or from British North American provinces, restored by act of 3d March, 1851.

‡ Postage to Havana, 12½ cents per act of 3d March, 1847, and again reduced to 10 cents when under 2,500 miles by the act of 3d March, 1851.

be recovered by presentment, by information, or *qui tam* action—one half for the use of the informer and the other half for the use of the Post Office Department.

SEC. 5. *And be it further enacted*, That if any person or persons shall forge or counterfeit, or shall utter or use knowingly, any counterfeit\* stamp of the Post Office Department of the United States issued by authority of this act, or by any other act of Congress, within the United States, or the post office stamp of any foreign Government, he shall be adjudged guilty of felony, and, on conviction thereof in any court having jurisdiction of the same, shall undergo a confinement at hard labor for any length of time not less than two years, nor more than ten, at the discretion of the court.

Penalty for counterfeiting the post office stamp.

SEC. 6. *And be it further enacted*, That, the Postmaster General, or the Secretary of State, be, and he is hereby, authorized to empower the consuls of the United States to pay the foreign postage of such letters, destined for the United States, as may be detained at the ports of foreign countries for the non-payment of postage; which postage shall be by the consul marked as paid by him, and the amount thereof shall be collected in the United States, as other postage, on the delivery of the letters, and repaid to said consul, or credited on his account at the State Department.

Consuls in foreign countries to pay postage on letters for U. S.

To be collected in U. S. and repaid to said Consuls.

SEC. 7. *And be it further enacted*, That the Postmaster General shall, in all cases of offers to contract for carrying the mail between any of the ports of the United States and any foreign port or place, give the preference to such bidder for the contract as shall propose to carry the mail in a steam-ship or ships, and the said contractor stipulating to deliver said ship or ships to the United States, or to their proper officer, upon demand made, for the purpose of being converted into a vessel or vessels of war; the United States being bound, on their part, to pay to said owner or owners the fair full value of every such ship or vessel at the time of such delivery; said value to be ascertained by

Preference to be given to steamships in making contracts.

Said steamships to be delivered on demand to U. S.

The owners to receive full value therefor.

\* Provision for stamps, with further provision against counterfeiting contained in the 11th section of the act of 3d March, 1847, and the 3d section of the act of 3d March, 1851.

Value, how to be ascertained.

four appraisers to be appointed, two by the President of the United States, and two by the owner or owners; and in case of disagreement among said appraisers, the President of the United States to select and appoint an umpire, who shall fix the value.

Transportation of the mail in the Gulf of Mexico, in steamers.

SEC. 8. *And be it further enacted*, That the Postmaster General may, if he shall deem it to be for the public interest, make contracts to continue not exceeding ten years, for the transportation of the mail from place to place in the United States in steamboats by sea and on the Gulf of Mexico and on the Mississippi river from the mouth thereof up to the city of New Orleans, on the conditions specified in the last preceding section of this act.

APPROVED, *March 3, 1845.*

## AN ACT

Making appropriations for the service of the Post Office Department for the year ending thirtieth June, eighteen hundred and forty-six.

Agents limited to \$1,000 per annum, &c.

*Provided, however*, That no greater sum shall be paid to any mail agent of any description than\* one thousand dollars per annum, and no greater sum for all his travelling and incidental expenses than at the rate of two dollars for each day he shall be actually employed in the capacity of mail agent.

APPROVED, *March 3, 1845.*

## AN ACT

Making appropriations for the Naval Service for the year ending the thirtieth June, eighteen hundred and forty-six.

Advertisements of Department to be published in certain city papers.

SEC. 12. *And be it further enacted*, That in all cases where proposals for any contract or contracts to be made by any of the executive departments or bureaus, and in all cases where notices of any description issuing from the same, are now required by law to be advertised, the same shall be advertised by publication, in the two newspapers in the City of Washington having the largest permanent subscription, and at the discretion of the Executive, in any

\* Extended to \$1,600 by 4th section of act of 3d March, 1851.

third paper that may be published in said city: *Provided*, that the charges for such publications shall not be higher than such as are paid by individuals for advertising in said papers; and *Provided, also*, that the same publication shall be made in each of said papers, equally, as to frequency.

APPROVED, March 3, 1845.

### AN ACT

To reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the first day of July next\* members of Congress and delegates from Territories may receive letters, not exceeding two ounces in weight, free of postage, during the recess of Congress, any thing to the contrary in this act notwithstanding; and the same franking privilege which is granted by this act to the members of the two houses of Congress, is hereby extended to the Vice President of the United States; and in lieu of the rates of postage now established by law, there shall be charged the following rates, viz: For every† single letter, in manuscript, or paper of any kind, by or upon which information shall be asked for or communicated in writing, or by marks and signs, conveyed in the mail, for any distance under three hundred miles, five cents; and for any distance over three hundred miles, ten cents; and for a double letter there shall be charged double these rates; and for a treble letter, treble these rates; and for a quadruple letter, quadruple these rates; and every letter or parcel not exceeding half on ounce in weight, shall be deemed a single letter; and every additional weight‡ or half an ounce, or ad-

After 1st July next members of Congress and delegates may during recess, receive letters not over two ounces in weight, free.

Franking privilege granted to Vice President.

Postage on letters.

Parcels.

\* Privilege extended by 3d section of the act of March 1st, 1847—see also 7th and 8th sections of this act.

† Rates of letter postage changed by the 1st section of the act of 3d March, 1851.

‡ Scale of progression above one ounce changed by act of 3d March, 1849—but in respect to domestic letters and to letters to and from the British North American Provinces, by force of the 13th article of the Postal Treaty with Great Britain—the scale of progression is restored by the 1st section of the act of 3d March, 1851.



ditional weight of less than half an ounce, shall be charged with an additional single postage. And all drop letters,\* or letters placed in any post office, not for transmission by mail, but for delivery only, shall be charged with postage at the rate of two cents each.

Drop letters.

Advertised letters.

And all letters which shall hereafter be advertised as remaining over in any post office, shall, when delivered out, be charged with the cost of advertising the same in addition to the regular postage, both to be accounted for as other postages now are.

Postage on newspapers.

SEC. 2. *And be it further enacted*, That all newspapers of no greater size or superficies than nineteen hundred square inches, may be transmitted through the mail by the editors or publishers thereof, to all subscribers or other persons within thirty miles† of the city, town, or other place in which the paper is or may be printed, free of any charge for postage whatever; and all newspapers of and under the size aforesaid, which shall be conveyed in the mail any distance beyond thirty miles from the place at which the same may be printed shall be subject to the rates of postage chargeable upon the same under the thirtieth section of the act of Congress, approved the third March, one thousand eight hundred and twenty-five, entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department;" and upon all newspapers of greater size or superficial extent than nineteen hundred square inches, there shall be charged and collected the same rates of postage as are prescribed by this act to be charged on magazines and pamphlets.

Postage on printed circulars, handbills, or advertisements.

SEC. 3. *And be it further enacted*, That all printed or lithographed circulars and handbills, or advertisements, printed or lithographed, on quarto post or single cap paper, or paper not larger than single cap, folded, directed, and unsealed, shall be charged with

\* Drop letters reduced to one cent by 1st section of act of 3d March, 1851.

† Exemption from postage for thirty miles repealed as to newspapers carried in the mail by act of 3d March, 1847—but by 2d section of act of 3d March, 1851, papers published weekly only, and sent to actual bona fide subscribers are exempt from postage in the county wherein published. By the latter section and act rates of postage and mode of computation on newspapers changed.

postage at the rate of two cents for each sheet, and no more, whatever be the distance the same may be sent; and all pamphlets, magazines, periodicals, and every other kind and description of printed or other matter, (except newspapers,) which shall be unconnected with any manuscript communication whatever, and which it is or may be lawful to transmit by the mail of the United States, shall be charged with postage at the rate of two and a half cents for each copy sent, of no greater weight than one ounce, and one cent additional shall be charged for each additional ounce of the weight of every such pamphlet, magazine, matter, or thing, which may be transmitted through the mail; whatever be the distance the same may be transported; and any fractional excess of not less than one half of an ounce in the weight of any such matter or thing, above one or more ounces, shall be charged for as if said excess amounted to a full ounce.\*

Pamphlets, magazines, and periodicals.

SEC. 4. *And be it further enacted*, That the Postmaster General be, and he is hereby authorized, upon all mail routes over or upon which the amount of matter usually transported, or which may be offered or deposited in the post office, or post offices for transportation, is or may become so great as to threaten materially to retard the progress or endanger the security of the letter mail, or to cause any considerable augmentation of the cost of transporting the whole mail at the present rate of speed, to provide for the separate and more secure conveyance of the letter mail, at a speed at least equal to that at which the mail is now transported over such route, taking care to allow in no case of any greater delay in the transportation of the other matters and things to be transported in the mail on any such route than may appear to be absolutely necessary, regard being had to the cost of expediting its transportation, and the means at his disposal or under his control for effecting the same.

Letter mail may be separated from the other mail, in certain cases, for expedition.

SEC. 5. *And be it further enacted*, That the twenty-seventh section of the act of Congress entitled "An act to reduce into one the several acts for establishing

27th section, act of 3d March, 1825, and other acts granting privilege

\* Postage on all the above descriptions of printed matter changed by act of 3 March, 1851.

to receive and send letters free of postage, repealed.

and regulating the Post Office Department," approved and signed the third day of March, in the year one thousand eight hundred and twenty-five, and all other acts and parts of acts granting and conferring upon any person whatsoever the right or privilege to receive and transmit through the mail, free of postage, letters, packets, newspapers, periodicals, or other matters, be, and the same are hereby, utterly abrogated and repealed.\*

Officers of Government having the franking privilege to keep account of postage.

SEC. 6. *And be it further enacted,* That from and after the passage of this act, all officers of the Government of the United States, heretofore having the franking privilege, shall be authorized and required to keep an account of all postage charged to and payable by them, respectively, upon letters, packages, or other matters received through the mail, touching the duties or business of their respective offices; and said accounts for postage, upon being duly verified by said officers respectively, shall be allowed and paid quarterly, out of the contingent fund of the bureau or department to which the officers aforesaid may respectively belong or be attached. And the three Assistant Postmasters General shall be entitled to have remitted by the Postmaster in Washington all postage charged upon letters, packages, or other matter, received by them, respectively, through the mail, touching the business of the Post Office Department, or the particular branch of that business committed to them, respectively; and each of the said Assistant Postmasters General shall be, and hereby is, authorized to transmit through the mail, free of postage, any letters, packages, or other matters relating exclusively to his official duties, or to the business of the Post Office Department; but he shall, in every such case, endorse on the back of the letter or package so to be sent free of postage, over his own signature, the words "official business." And for any such endorse-

Said account to be paid quarterly out of contingent fund.

Assistant Postmasters General to have postage on business letters remitted.

Same authorized to transmit letters on business free.

Letters to be endorsed "official business."

Penalty for false endorsement.

\* Exception in 7th section in favor of Governors of States, and in 23d section in favor of President and former Presidents, and Mrs. Madison, and Mrs. Harrison; and privilege extended to Mrs. Polk, by act of 10th January, 1850, and to Mrs. Taylor, by act of 18th July, 1850; and by the 1st section of the act of 2d March, 1847, to Postmasters whose compensation is less than \$200 per annum.

ment falsely made, the person so offending shall forfeit and pay three hundred dollars. And the several deputy postmasters throughout the United States shall be authorized to charge, and have allowed to them in the settlement of their accounts with the Post Office Department, all postage which they may have paid or had charged to them, respectively, for letters, packages, or other matters received by them on the business of their respective offices, or of the Post Office Department, upon a verification on oath of their accounts for the same, and the transmission of the charged letters as vouchers; and the several deputy postmasters shall be, and hereby are, authorized to send through the mail, free of postage, all letters and packages which it may be their duty, or they may have occasion to transmit to any person or place, and which shall relate exclusively to the business of the respective offices, or to the business of the Post Office Department; but in every such case the deputy postmaster sending any such letter or package shall endorse thereon, over his own signature, the words "Post Office business." And for any and every such endorsement falsely made, the person making the same shall forfeit and pay three hundred dollars. And when the commissions of any postmaster amount to less than twenty-five dollars per annum, it shall be lawful for the Postmaster General to increase the rate of his commissions, provided that they do not exceed fifty per cent. on letter postage accruing at such office, and the Postmaster General is hereby required to cause accounts to be kept of the postage that would be chargeable at the rates prescribed in this act upon all matter passing free through the mail according to the provisions of this act; and the sums thus chargeable shall be paid to the Post Office Department from the contingent funds of the two Houses of Congress, and of the other departments of the Government for which such mail service may have been performed, and where there is no such fund that they be paid out of the Treasury of the United States.\*

Deputy postmasters to be paid postage on business letters.

Same authorized to transmit business letters free.

Letters to be endorsed "Post Office business."

Penalty for false endorsement.

Commissions to postmasters.

Accounts to be kept of postage that would be chargeable on all matter passing free.

Sums charged to be paid.

\*So much of this section as directs accounts to be kept, repealed by the 12th section of the act of 3d March, 1847, which provides a compensation to the Department for such mail service; the said compensation increased by the 8th section of the act of 3d March, 1851.

Act June 30th,  
1834, continued in  
force.

Members of Congress, delegates, Secretary of the Senate, Clerk of House of Representatives, authorized to transmit public documents free of postage.

Franking privilege granted to members of Congress, delegates, Secretary Senate, and Clerk House of Representatives.

Limitation.

Postage charged on business letters, to Senators, Members, and delegates, for excess of weight, to be paid out of contingent fund.

Authorized to frank their own letters all the year.

Private expresses for letters forbidden on mail routes.

SEC. 7. *And be it further enacted*, That the act of Congress entitled "An act authorizing the Governors of the several States to transmit by mail certain books and documents," approved June the thirtieth, one thousand eight hundred and thirty-four, shall remain and continue in full force, any thing hereinbefore to the contrary notwithstanding; and the members of Congress, the delegates from the Territories, the Secretary of the Senate, and the Clerk of the House of Representatives, shall be, and they are hereby, authorized, to transmit, free of postage, to any post office within the United States, or the Territories thereof, any documents which have been or may be printed by order of either House of Congress, any thing in this law to the contrary notwithstanding.

SEC. 8. *And be it further enacted*, That each member of the Senate, each member of the House of Representatives, and each delegate from a Territory of the United States, the Secretary of the Senate, and the Clerk of the House of Representatives, may, during each session of Congress, and for a period of thirty days before the commencement and thirty days after the end of each and every session of Congress, send and receive through the mail, free of postage, any letter, newspaper, or packet, not exceeding two ounces in weight; and all postage charged upon any letters, packages, petitions, memorials, or other matters or things received during any session of Congress by any Senator, member or delegate of the House of Representatives, touching his official or legislative duties, by reason of any excess of weight, above two ounces, of the matter or thing so received, shall be paid out of the contingent fund of the House of which the person receiving the same may be a member. And they shall have the right to frank written letters from themselves during the whole year, as now authorized by law.

SEC. 9. *And be it further enacted*, That it shall not be lawful for any\* person or persons to establish any private express or expresses for the conveyance, nor in any manner to cause to be conveyed, or provide for

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\* Upon the subject of the prohibition contained in this, and following sections—see note to 6th section of the act of 3 March, 1825.

the conveyance or transportation, by regular trips, or at stated periods or intervals, from one city, town, or other place, to any other city, town, or place, in the United States, between and from and to which cities, towns, or other places, the United States mail is regularly transported, under the authority of the Post Office Department, of any letters, packets, or packages of letters, or other matter properly transmittable in the United States mail, except newspapers, pamphlets, magazines, and periodicals; and each and every person offending against this provision, or aiding and assisting therein, or acting as such private express, shall, for each time any letter or letters, packet or packages, or other matter properly transmittable by mail, except newspapers, pamphlets, magazines, and periodicals, shall or may be, by him, her, or them, or through his, her, or their means or instrumentality, in whole or in part, conveyed or transported contrary to the true intent, spirit and meaning of this section, forfeit and pay the sum of one hundred and fifty dollars.

Penalty for offending.

SEC. 10. *And be it further enacted*, That it shall not be lawful for any stage coach, railroad car, steamboat, packet boat, or other vehicle or vessel, nor any of the owners, managers, servants, or crews of either, which regularly perform trips at stated periods on a post route, or between two or more cities, towns, or other places, from one to the other of which the United States mail is regularly conveyed under the authority of the Post Office Department, to transport or convey, otherwise than in the mail, any letter or letters, packet or packages of letters, or other mailable matter whatsoever, except such as may have relation to some part of the cargo of such steamboat, packet boat, or other vessel, or to some article at the same time conveyed by the same stage coach, railroad car, or other vehicle, and excepting also, newspapers, pamphlets, magazines, and periodicals; and for every such offence, the owner or owners of the stage coach, railroad car, steamboat, packet boat, or other vehicle or vessel, shall forfeit and pay the sum of one hundred dollars; and the driver, captain, conductor, or person having charge of any such stage coach, railroad car, steamboat, packet boat, or other vehicle or vessel, at the time of the commission of any such offence, and who shall not at that time be

Mailable matter not to be conveyed over any regular mail route otherwise than in the mail.

Exceptions.

Penalty.

the owner thereof, in whole or in part, shall, in like manner, forfeit and pay, in every such case of offence, the sum of fifty dollars.

Penalty for transporting persons engaged in carrying mail matter over any mail route.

SEC. 11. *And be it further enacted,* That the owner or owners of every stage coach, railroad car, steamboat, or other vehicle or vessel, which shall, with the knowledge of any owner or owners, in whole or in part, or with the knowledge or connivance of the driver, conductor, captain, or other person having charge of any such stage coach, railroad car, steamboat, or other vessel or vehicle, convey or transport any person or persons acting or employed as a private express for the conveyance of letters, packets, or packages of letters, or other mailable matter, and actually in possession of such mailable matter, for the purpose of transportation, contrary to the spirit, true intent, and meaning of the preceding sections of this law, shall be subject to the like fines and penalties as are hereinbefore provided and directed in the case of persons acting as such private expresses, and of persons employing the same; but nothing in this act contained shall be construed to prohibit the conveyance or transmission of letters, packets, or packages, or other matter, to any part of the United States, by private hands, no compensation being tendered or received therefor in any way, or by a special messenger employed only for the single particular occasion.

Carrying of letters, &c., by private hands, without compensation, not prohibited.

Special messengers.

Penalty for transmitting, by private express, matter forbidden by this act.

SEC. 12. *And be it further enacted,* That all persons whatsoever who shall, after the passage of this act, transmit by any private express, or other means by this act declared to be unlawful, any letter or letters, package or packages, or other mailable matter, excepting newspapers, pamphlets, magazines, and periodicals, or who shall place or cause to be deposited at any appointed place, for the purpose of being transported by such unlawful means, any matter or thing properly transmittable by mail, excepting newspapers, pamphlets, magazines, and periodicals, or who shall deliver any such matter, excepting newspapers, pamphlets, magazines, and periodicals, for transmission to any agent or agents of such unlawful expresses, shall, for each and every offence, forfeit and pay the sum of fifty dollars.

SEC. 13. *And be it further enacted*, That nothing in this act contained shall have the effect, or be construed to prohibit the conveyance or transportation of letters by steamboats, as authorized by the sixth section of the act entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department, approved the third of March, one thousand eight hundred and twenty-five; *Provided*, That the requirements of said sixth section of said act be strictly complied with, by the delivery, within the time specified by said act, of all letters so conveyed, not relating to the cargo, or some part thereof, to the postmaster or other authorized agent of the Post Office Department at the port or place to which said letters may be directed, or intended to be delivered over from said boat; and the postmaster or other agent of the Post Office Department shall charge and collect upon all letters or other mailable matter, so delivered to him, except newspapers, pamphlets, magazines, and periodicals, the same rates of postage as would have been charged upon said letters had they been transmitted by mail from the port or place at which they were placed on board the steamboat from which they were received; but it is hereby expressly provided, that all the pains and penalties provided by this act, for any violation of the provisions of the eleventh section of this act, shall attach in every case to any steamboat, or to the owners and persons having charge thereof, the captain or other person having charge of which shall not, as aforesaid, comply with the requirements of the sixth section of the said law of one thousand eight hundred and twenty-five. And no postmaster shall receive to be conveyed by the mail, any packet which shall weigh more than three pounds.

Transmission of letters by steamboats under act of 3d March, 1825, not prohibited.

Proviso: requirements of 6th section of act of 3d March, 1825, to be complied with.

Penalties provided in this act to attach to captains or owners of steamboats who do not comply with requirements of 6th section, act 1825.

No packet weighing over 3 pounds to be sent by mail.

SEC. 14. *And be it further enacted*, That the Postmaster General shall have power, and he is hereby authorized, to contract with the owners or commanders of any steamboat plying upon the Western or other waters of the United States, for the transportation of the mail for any length of time or number of trips, less than the time for which contracts for transporting the mail of the United States are now usually made under existing laws, and without the previous advertisements

Postmaster General authorized to contract with owners of steamboats for conveying the mail, without previous advertisement.



**Proviso: price limited.** now required before entering into such contracts, whenever in his opinion the public interest and convenience will be promoted thereby: *Provided*, That the price to be paid for such service shall in no case be greater than the average rate paid for such service under the last preceding or then existing regular contract for transporting the mail upon the route he may so for a less time contract for the transportation of the mail upon.

**What constitutes "mailable matter."** SEC. 15. *And be it further enacted*, That "mailable matter," and "matter properly transmittable by mail," shall be deemed and taken to mean all letters and newspapers, and all magazines and pamphlets periodically published, or which may be published in regular series or in successive numbers, under the same title, though at irregular intervals, and all other written or printed matter whereof each copy or number shall not exceed eight ounces in weight, except bank notes, sent in packages or bundles, without written letters accompanying them;\* but bound books, of any size, shall not be held to be included within the meaning of these terms. And any packet or packets, of whatever size or weight, being made up of any such mailable matter, shall subject all persons concerned in transporting the same to all the penalties of this law, equally as if it or they were not so made up into a packet or packages. But nothing in this act contained shall be so construed as to prohibit any person whatever from transporting, or causing to be transported, over any mail route, on any road or way parallel thereto, any books, magazines, or pamphlets, or newspapers, not marked, directed, or intended for immediate distribution to subscribers or others, but intended for sale as merchandise, and transported in the usual mode of transporting merchandise over the particular route used, and sent or consigned to some bona fide dealer or agent for the sale thereof; nor shall any thing herein be construed to interfere with the right of any traveller to have and take with him or

**Transportation of books, magazines, pamphlets, or newspapers, intended for sale as merchandise, not prohibited.**

**Travellers may carry books, papers, &c., for their own use.**

\* Bound books, and parcels of printed matter, not weighing over thirty-two ounces, made mailable by the 2d section of the act of 2d March, 1851.

her, for his or her own use, any book, pamphlet, magazine or newspaper.

SEC. 16. *And be it further enacted*, That the term "newspaper," hereinbefore used, shall be, and the same is hereby defined to be, any printed publication, issued in numbers, consisting of not more than two sheets, and published at short stated intervals of not more than one month, conveying intelligence of passing events, and bona fide extras and supplements of any such publication. And nothing herein contained shall be so construed as to prevent the free exchange\* of newspapers between the publishers thereof, as provided for under the twenty-ninth section of the act entitled "An act to reduce into one the several acts for establishing and regulating the Post Office Department, approved the third day of March, one thousand eight hundred and twenty-five."

What is understood by "newspapers."

Free exchange of newspapers between publishers not prohibited.

SEC. 17. *And be it further enacted*, That all pecuniary penalties and forfeitures, incurred under this act, shall be one half for the use of the person or persons informing and prosecuting for the same, and the other half to the use of the United States, and shall be paid over to the Postmaster General, and accounted for by him as other moneys of the department; and all causes of action arising under this act, may be sued, and all offenders against this act may be prosecuted, before the justices of the peace, magistrates, or other judicial courts of the several States and of the several Territories of the United States, they having competent jurisdiction, by the laws of such States or Territories, to the trial of claims and demands of as great value, and of the prosecutions, where the punishments are of as great extent; and such justices, magistrates, or judiciary, shall take cognizance thereof, and proceed to judgment and execution, as in other cases.

Penalties and forfeitures under this act, one-half to go to informer, and one-half to U. States.

Prosecution of offenders.

SEC. 18. *And be it further enacted*, That it shall be the duty of the Postmaster General in all future lettings of contracts for the transportation of the mail, to let the same, in every case, to the lowest bidder, tendering sufficient guaranties for faithful performance,

Contracts for transporting the mail to be let to the lowest responsible bidder.

\* Privilege of interchange extended to publishers of pamphlets, periodicals, magazines and newspapers not exceeding sixteen ounces in weight by the 3d section of the act of 3d March, 1851.

Contractor not required to buy out their predecessors.

Letters to be advertised in two newspapers, of largest circulation, in place where the office is situated.

Transportation of the mail by railroads.

Provide: compensation limited.

without other reference to the mode of such transportation than may be necessary to provide for the due celerity, certainty, and security of such transportation; nor shall any new contractor hereafter be required to purchase out, or take at a valuation, the stock or vehicles of any previous contractor for the same route.

And all \*advertisements made under the orders of the Postmaster General, in a newspaper or newspapers, of letters uncalled for in any post office, shall be inserted in the paper or papers, of the town or place where the office advertising may be situated, having the largest circulation, provided the editor or editors of such paper or papers shall agree to insert the same for a price not greater than that now fixed by law; and in case of question or dispute as to the amount of the circulation of any papers, the editors of which may desire this advertising, it shall be the duty of the postmaster to receive evidence and decide upon the fact.

SEC. 19. *And be it further enacted*, That to insure, as far as may be practicable, an equal and just rate of compensation, according to the service performed, among the several railroad companies in the United States for the transportation of the mail, it shall be the duty of the Postmaster General to arrange and divide the railroad routes, including those in which the service is partly by railroad and partly by steamboats, into three classes according to the size of the mails, the speed with which they are conveyed, and the importance of the service; and it shall be lawful for him to contract for conveying the mail with any such railroad company, either with or without advertising for such contract: *Provided*, That, for the conveyance of the mail on any railroad of the first class, he shall not pay a higher rate of compensation than is now allowed by law; nor for carrying the mail on any railroad of the second class, a greater compensation than one hundred dollars per mile per annum; nor for carrying the mail on any railroad of the third class, a greater compensation than fifty dollars per mile per annum. And in case the Postmaster General shall

\* Directions for advertising letters superseded by provisions of the 5th section of the act of 3d March, 1851.

not be able to conclude a contract for carrying the mail on any of such railroad routes, at a compensation not exceeding the aforesaid maximum rates, or for what he may deem a reasonable and fair compensation for the service to be performed, it shall be lawful for him to separate the letter mail from the residue of the mail, and to contract, either with or without advertising, for conveying the letter mail over such route, by horse express or otherwise, at the greatest speed that can reasonably be obtained, and also to contract for carrying over such route the residue of the mail, in wagons or otherwise, at a slower rate of speed: *Provided*, That if one half of the service, on any railroad, is required to be performed in the night season, it shall be lawful for the Postmaster General to pay twenty-five per cent. in addition to the aforesaid maximum rates of allowance: *And provided further*, That if it shall be found necessary to convey over any railroad route more than two mails daily, it shall be lawful for the Postmaster General to pay such additional compensation as he may think just and reasonable, having reference to the service performed and the maximum rate of allowance established by this act.\*

In case a contract cannot be made with a railroad, how the mail may be transmitted.

Proviso: additional allowance when sent by night or twice a day.

SEC. 20. *And be it further enacted*, That all causes of action arising under this act may be sued, and all offenders against this act may be prosecuted, before any circuit or district court of the United States, or the District of Columbia, or of the Territories of the United States.

Courts for trial of offenders against this act.

SEC. 21. *And be it further enacted*, That for the purpose of guarding against the possibility of any embarrassment in the operations of the Post Office Department consequent upon any deficiency of the revenues of said department which may be occasioned by the reduction of the rates of postage by this act made, there be, and hereby is, appropriated the sum of seven hundred and fifty thousand dollars to be paid out of any money in the Treasury not otherwise appropriated, and to be placed to the credit of the Post Office De-

\$750,000 appropriated to guard against a deficiency in the revenues of Post Office Department.

\*For antecedent provisions touching compensation of railroads—see acts of 7th July, 1838, and 25th January, 1839.

partment in the Treasury of the United States, to be applied, under the direction of the Postmaster General, to supply any deficiency in the regular revenues from postage, in the same manner as the revenues of said department are now by law applied.

Additional appropriation for deficiencies in revenues of the Post Office.

Proviso.

Franking privilege continued to President, ex-President, Mrs. Madison, and Mrs. Harrison.

SEC. 22. *And be it further enacted*, That in case the amount of postages collected from the rates of postage prescribed by this act, with the annual appropriation from the Treasury of seven hundred and fifty thousand dollars herein granted, shall prove insufficient to defray the expense of the mail service throughout the United States to an extent equal to what is now enjoyed by the public, and also the expense of extending and enlarging the same in due proportion with the increase and expansion of the population, particularly in the new States and Territories, the deficiency that may so arise shall be paid out of any moneys in the Treasury not otherwise appropriated: *Provided*, That the amount of expenditure for the Post Office Department shall not in the entire aggregate, exclusive of salaries of officers, clerks, and messengers, of the General Post Office, and the contingent fund of the same, exceed the annual amount of four million five hundred thousand dollars.

SEC. 23. *And be it further enacted*, That nothing in this act contained shall be construed to repeal the laws heretofore enacted, granting the franking privilege to the President of the United States when in office, and to all ex-Presidents, and to the widows of the former Presidents Madison and Harrison.

APPROVED, *March 3, 1845.*

## AN ACT

To provide for the better organization of the Treasury, and for the collection, safe-keeping, transfer, and disbursement of the public revenue.

The treasurer, assistant treasurers, and other off-

SEC. 6. *And be it further enacted*, That the Treasurer of the United States, the Treasurer of the mint

of the United States, the treasurers, and those acting as such, of the various branch mints, all collectors of the customs, all surveyors of the customs acting also as collectors, all assistant treasurers, all receivers of public moneys at the several land offices, all postmasters, and all public officers of whatsoever character, be, and they are hereby required to keep safely, without loaning, using, depositing in banks, or exchanging for other funds than as allowed by this act, all the public money collected by them, or otherwise at any time placed in their possession and custody, till the same is ordered, by the proper department or officer of the Government, to be transferred or paid out; and when such orders for transfer or payment are received, faithfully and promptly to make the same as directed, and to do and perform all other duties as fiscal agents of the Government which may be imposed by this or any other acts of Congress, or by any regulation of the Treasury Department made in conformity to law; and also to do and perform all acts and duties required by law, or by direction of any of the Executive Departments of the Government, as agents for paying pensions, or for making any other disbursements which either of the heads of those Departments may be required by law to make, and which are of a character to be made by the depositaries hereby constituted, consistently with the other official duties imposed upon them.

SEC. 9. *And be it further enacted*, That all collectors and receivers of public money, of every character and description, within the District of Columbia, shall, as frequently as they may be directed by the Secretary of the Treasury, or the Postmaster General, so to do, pay over to the Treasurer of the United States at the Treasury, all public moneys collected by them, or in their hands; that all such collectors and receivers of public moneys within the cities of Philadelphia and New Orleans, shall, upon the same direction, pay over to the treasurers of the mints in their respective cities, at the said mints, all public moneys collected by them, or in their hands; and that all such collectors and receivers of public moneys within the cities of New York, Boston, Charleston,

cers having the custody of the public moneys required to keep the same safely, &c. and faithfully and promptly to make payments & transfers as are required to be made, &c.

Collectors and receivers of the public money to pay over the same, and to whom.

Secretary of the Treasury and Postmaster General to direct such payments.

and St. Louis, shall upon the same direction, pay over to the assistant treasurers, in their respective cities, at their offices, respectively, all the public moneys collected by them, or in their hands, to be safely kept by the said respective depositaries until otherwise disposed of according to law; and it shall be the duty of the said Secretary and Postmaster General respectively to direct such payments by the said collectors and receivers at all the said places, at least as often as once in each week, and as much more frequently, in all cases, as they in their discretion may think proper.

Secretary of the Treasury may make transfers of the public moneys.

SEC. 10. *And be it further enacted*, That it shall be lawful for the Secretary of the Treasury to transfer the moneys in the hands of any depositary hereby constituted to the Treasury of the United States, to be there safely kept, to the credit of the Treasurer of the United States, according to the provisions of this act; and also to transfer moneys in the hands of any one depositary constituted by this act to any other depositary constituted by the same, at his discretion, and as the safety of the public moneys, and the convenience of the public service shall seem to him to require; which authority to transfer the moneys belonging to the Post Office Department is also hereby conferred upon the Postmaster General, so far as its exercise by him may be consistent with the provisions of existing laws; and every depositary constituted by this act shall keep his account of the money paid to or deposited with him, belonging to the Post Office Department, separate and distinct from the account kept by him of other public moneys, so paid or deposited.

The Postmaster General authorized to make transfers of moneys belonging to the Post Office Department.

Depositaries to keep separate and distinct accounts of the moneys of the Post office Department.

The Treasurer may draw on any depositary.

And for the purpose of payments on the public account, it shall be lawful for the Treasurer of the United States to draw upon any of the said depositaries, as he may think most conducive to the public interest, or to the convenience of the public creditors, or both. And each depositary so drawn upon shall make returns to the Treasury and Post Office Departments of all moneys received and paid by him, at such times and in such form as shall be directed by the Secretary of the Treasury or the Postmaster General.

Depositaries to make returns to the Treasury and Post Office Department.

SEC. 11. *And be it further enacted*, That the Sec-

retary of the Treasury shall be, and he is hereby, authorized to cause examinations to be made of the books, accounts and money on hand of the several depositaries constituted by this act; and for that purpose to appoint special agents, as occasion may require, with such compensation, not exceeding six dollars per day and travelling expenses, as he may think reasonable, to be fixed and declared at the time of each appointment. The agents selected to make these examinations shall be instructed to examine as well the books, accounts, and returns of the officer, as the money on hand, and the manner of its being kept, to the end that uniformity and accuracy in the accounts, as well as safety to the public moneys may be secured thereby.

Examinations to be made of the books, &c. of the depositaries.

SEC. 12. *And be it further enacted*, That in addition to the examinations provided for in the last preceding section, and as a further guard over the public moneys, it shall be the duty of each naval officer and surveyor, as a check upon the assistant treasurers, or the collector of the customs, of their respective districts; of each register of a land office, as a check upon the receiver of his land office; and of the director and superintendent of each mint and branch mint, when separate offices, as a check upon the treasurers respectively of the said mints, or the persons acting as such, at the close of each quarter of the year, and as much more frequently as they shall be directed by the Secretary of the Treasury to do so, to examine the books, accounts, returns, and money on hand of the assistant treasurers, collectors, receivers of land offices, treasurers of the mint, and each branch mint, and persons acting as such, and to make a full, accurate, and faithful return to the Treasury Department of their condition.

Additional examinations to be made—how.

SEC. 13. *And be it further enacted*, That the said officers, respectively, whose duty it is made by this act to receive, keep, and disburse the public moneys, as the fiscal agents of the Government, may be allowed any necessary additional expenses for clerks, fire-proof chests, or vaults, or other necessary expenses of safe keeping, transferring, and disbursing said moneys; all such expenses of every character to

Necessary expenses for clerks, chests, &c. allowed.



All such expenses to be first authorized by the Secretary of the Treasury.

Proviso.

Secretary of the Treasury may transfer balances remaining with present depositaries.

Proviso.

Payments of public money to the U. S. and payments for patents, to whom to be made.

Entries required to be made of the public moneys other than those

be first expressly authorized by the Secretary of the Treasury, whose directions upon all the above subjects, by way of regulation and otherwise, so far as authorized by law, are to be strictly followed by all the said officers: *Provided*, That the whole number of clerks to be appointed by virtue of this section of this act shall not exceed ten; and that the aggregate compensations of the whole number shall not exceed eight thousand dollars; nor shall the compensation of any one clerk so appointed exceed eight hundred dollars per annum.

SEC. 14. *And be it further enacted*, That the Secretary of the Treasury may, at his discretion, transfer the balances remaining with any of the present depositaries to any other of the present depositaries, as he may deem the safety of the public money or the public convenience may require: *Provided*, That nothing in this act shall be so construed as to authorize the Secretary of the Treasury to transfer the balances remaining with any of the present depositaries to the depositaries constituted by this act before the first day of January next: *And provided*, That for the purpose of payments on public account, out of balances remaining with the present depositaries, it shall be lawful for the Treasurer of the United States to draw upon any of the said depositaries as he may think most conducive to the public interests, or to the convenience of the public creditors or both.

SEC. 15. *And be it further enacted*, That all marshals, district attorneys, and others having public money to pay to the United States, and all patentees wishing to make payment for patents to be issued, may pay all such moneys to the Treasurer of the United States, to the treasurer of either of the mints in Philadelphia or New Orleans, or to either of the other assistant treasurers, or to such other depositary constituted by this act as shall be designated by the Secretary of the Treasury in other parts of the United States to receive such payments, and give receipts or certificates of deposit therefor.

SEC. 16. *And be it further enacted*, That all officers and other persons, charged by this act, or any other act, with the safe-keeping, transfer, and dis-

bursement of the public moneys, other than those of the Post Office Department, are hereby required to keep an accurate entry of each sum received, and of each payment or transfer; and that

if any one of the said officers, or of those connected with the Post Office Department, shall convert to his own use, in any way whatever, or shall use by way of investment in any kind of property or merchandise, or shall loan, with or without interest, or shall deposit in any bank, or shall exchange for other funds, except as allowed by this act, any portion of the public moneys intrusted to him for safe-keeping, disbursement, transfer, or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be thus taken, converted, invested, used, loaned, deposited, or exchanged, which is hereby declared to be a felony; and any failure to pay over or to produce the public moneys intrusted to such person shall be held and taken to be *prima facie* evidence of such embezzlement; and if any officer charged with the disbursements of public moneys shall accept or receive, or transmit to the Treasury Department to be allowed in his favor, any receipt or voucher from a creditor of the United States, without having paid to such creditor, in such funds as the said officer may have received for disbursement, or such other funds as he may be authorized by this act to take in exchange, the full amount specified in such receipt or voucher, every such act shall be deemed to be a conversion by such officer to his own use of the amount specified in such receipt or voucher; and any officer or agent of the United States, and all persons advising or participating in such act, being convicted thereof before any court of the United States of competent jurisdiction, shall be sentenced to imprisonment for a term of not less than six months nor more than ten years, and to a fine equal to the amount of the money embezzled. And, upon the trial of any indictment against any person for embezzling public money under the provisions of this act, it shall be sufficient evidence, for the purpose of showing a balance against such person, to produce a transcript from the books

Felony to use, loan, or deposit in a bank, &c., money entrusted to him; punishment.

Evidence sufficient to show a balance on a charge of embezzlement.

and proceedings of the Treasury, as required in civil cases, under the provisions of the act entitled "An act to provide more effectually for the settlement of accounts between the United States and receivers of public money," approved March third, one thousand seven hundred and ninety-seven; and the provisions of this act shall be so construed as to apply to all persons charged with the safe keeping, transfer, or disbursement of the public money, whether such persons be indicted as receivers or depositaries of the same; and the refusal of such person whether in or out of office, to pay any draft, order, or warrant which may be drawn upon him by the proper officer of the Treasury Department, for any public money in his hands belonging to the United States, no matter in what capacity the same may have been received or may be held, or to transfer or disburse any such money promptly, upon the legal requirement of any authorized officer of the United States, shall be deemed and taken, upon the trial of any indictment against such person for embezzlement, as *prima facie* evidence of such embezzlement.

Until the rooms, &c. directed to be prepared by the first four sections of this act can be constructed, others to be procured.

SEC. 17. *And be it further enacted*, That, until the rooms, offices, vaults, and safes, directed by the first four sections of this act to be constructed and prepared for the use of the Treasurer of the United States, the treasurers of the mints at Philadelphia and New Orleans, and the assistant treasurers at New York, Boston, Charleston, and St. Louis, can be constructed and prepared for use, it shall be the duty of the Secretary of the Treasury to procure suitable rooms for offices for those officers at their respective locations, and to contract for such use of vaults and safes as may be required for the safe keeping of the public moneys in the charge and custody of those officers respectively, the expense to be paid by the United States.

And whereas by the thirtieth section of the act entitled "An act to regulate the collection of duties imposed by law on the tonnage of ships or vessels, and on goods, wares, and merchandise, imported into the United States," approved July thirty-one, seventeen hundred and eighty-nine, it was provided that

all fees and dues collected by virtue of that act should be received in gold and silver coin only; and whereas, also, by the 5th section of the act approved May ten, eighteen hundred, entitled "An act to amend the act entitled 'An act providing for the sale of the lands of the United States in the territory northwest of the Ohio, and above the mouth of the Kentucky river,' " it was provided that the payment for the said lands shall be made by all purchasers in specie, or in evidences of the public debt; and whereas, experience has proved that said provisions ought to be revived and enforced, according to the true and wise intent of the Constitution of the United States—

SEC. 18. *And be it further enacted*, That on the first day of January, in the year one thousand eight hundred and forty-seven, and thereafter, all duties, taxes, sales of public lands, debts, and sums of money accruing or becoming due to the United States, and also all sums due for postages or otherwise, to the General Post Office Department, shall be paid in gold and silver coin only, or in treasury notes issued under the authority of the United States: *Provided*, That the Secretary of the Treasury shall publish, monthly, in two newspapers at the city of Washington, the amount of specie at the several places of deposit, the amount of treasury notes or drafts issued, and the amount outstanding on the last day of each month.

SEC. 19. *And be it further enacted*, That on the first day of April, one thousand eight hundred and forty-seven, and thereafter, every officer or agent engaged in making disbursements on account of the United States, or of the General Post Office, shall make all payments in gold and silver coin, or in treasury notes, if the creditor agree to receive said notes in payment; and any receiving or disbursing officer or agent who shall neglect, evade, or violate the provisions of this and the last preceding section of this act, shall, by the Secretary of the Treasury, be immediately reported to the President of the United States, with the facts of such neglect, evasion or violation; and also to Congress, if in session, and if not in session, at the commencement of its session next after the violation takes place.

From and after Jan. 1, 1847, the duties, taxes, &c. accruing to the U. States shall be paid in gold and silver coin, or in treasury notes.

*Provido.*

From and after April 1, 1847, all disbursing officers and agents shall make payments in gold and silver coin; or in treasury notes if the creditor agrees to receive them.

Violations of this and the preceding section to be reported to the President.

No exchange of funds to be made except for gold & silver.

How payments shall be made.

Officers violating this section to be suspended and reported to President.

Proviso.

The Secretary of the Treasury to issue and publish regulations to enforce the speedy presentation of all drafts for payment, &c.

SEC. 20. *And be it further enacted*, That no exchange of funds shall be made by any disbursing officers or agents of the Government, of any grade or denomination whatsoever, or connected with any branch of the public service, other than an exchange for gold and silver; and every such disbursing officer, when the means for his disbursements are furnished to him in gold and silver, shall make his payments in the money so furnished; or when those means are furnished to him in drafts, shall cause those drafts to be presented at their place of payment, and properly paid according to the law, and shall make his payments in the money so received for the drafts furnished, unless, in either case, he can exchange the means in his hands for gold and silver at par. And it shall be and is hereby made the duty of the head of the proper department immediately to suspend from duty any disbursing officer who shall violate the provisions of this section, and forthwith to report the name of the officer or agent to the President with the fact of the violation, and all the circumstances accompanying the same, and within the knowledge of the said Secretary, to the end that such officer or agent may be promptly removed from office, or restored to his trust and the performance of his duties, as to the President may seem just and proper: *Provided, however*, That those disbursing officers, having at present credits in the banks, shall, until the first day of January next, be allowed to check on the same, allowing the public creditors to receive their pay from the banks either in specie or bank notes.

SEC. 21. *And be it further enacted*, That it shall be the duty of the Secretary of the Treasury to issue and publish regulations to enforce the speedy presentation of all Government drafts for payment at the place where payable, and to prescribe the time, according to the different distances of the depositaries from the seat of Government, within which all drafts upon them, respectively, shall be presented for payment: and, in default of such presentation, to direct any other mode and place of payment which he may deem proper; but in all these regulations and directions, it shall be the duty of the Secretary of the Treasury to guard, as far as may be, against those drafts being

used or thrown into circulation as a paper currency or medium of exchange. And no officer of the United States shall, either directly or indirectly, sell or dispose to any person or persons or corporations, whatsoever, for a premium, any treasury note, draft, warrant, or other public security, not his private property, or sell or dispose of the avails or proceeds of such note, draft, warrant, or security in his hands for disbursement, without making return of such premium, and accounting therefor by charging the same in his accounts to the credit of the United States; and any officer violating this section shall be forthwith dismissed from office.

No officer of the U. S. shall dispose of for a premium any treasury note, draft, &c. not his private property, without crediting U. S. in his accounts.

SEC. 24. *And be it further enacted,* That all acts or parts of acts which come in conflict with the provisions of this act, be and the same are hereby, repealed.

Acts and parts of acts conflicting repealed.

APPROVED, *August 6, 1846.*

## AN ACT

To amend the act entitled "An act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the revenues of the Post Office Department," passed third of March, eighteen hundred and forty-five.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in lieu of commissions allowed deputy postmasters by the fourteenth section of the act of the third of March, eighteen hundred and twenty-five, the Postmaster General may allow, on the proceeds of their respective offices, a commission not exceeding the following rates on the amount received in any one year, or a due proportion thereof for less than a year: On a sum not exceeding one hundred dollars, forty per cent.; on a sum over the first hundred and not exceeding four hundred dollars, thirty-three and one-third per cent.; on a sum over and above the first four hundred dollars and not exceeding twenty-four hundred dollars, thirty per cent.; on a sum over twenty-four hundred dollars, twelve and

Rates of commission.

one-half per cent. ; on all sums arising from the postage on newspapers, magazines, and pamphlets, fifty per cent. ; on the amount of postages on letters or packets received for distribution, seven per cent. :

Allowances,  
Commissions, &c.,  
subject to provisions  
of forty-first  
section of act of  
1825.

*Provided*, That all allowances, commissions, or other emoluments shall be subject to the provisions of the forty-first section of the act which this is intended to amend; and that the annual compensation therein limited shall be computed for the fiscal year commencing on the first of July and ending the thirtieth of June each year, and that for any period less than a year the restrictions contained in said section shall be held to apply in a due proportion for such fractional period: *And provided further*, That the compensation to any deputy postmaster under the foregoing provisions (to be computed upon the receipt at his office of a larger sum) shall in no case fall short of the amount to which he would have been entitled under a smaller sum received at his office.\*

Compensation to  
deputy postmas-  
ters.

Moneys taken by  
robbery shall be  
paid to the order  
of Postmaster Gen-  
eral.

SEC. 2. *And be it further enacted*, That all moneys taken from the mails of the United States by robbery, theft, or otherwise, which have come or may hereafter come into the possession or custody of any of the agents of the Post Office Department, or any other officers of the United States, or any other person or persons whatever, shall be paid to the order of the Postmaster General, to be kept by him as other moneys of the Post Office Department, to and for the use and benefit of the rightful owner, to be paid whenever satisfactory proof thereof shall be made; and upon the failure of any person in the employment of the United States to pay over such moneys when demanded, the person so refusing shall be subject to the penalties prescribed by law against defaulting officers.

Franking privi-  
lege.

SEC. 3. *And be it further enacted*, That all members of Congress, delegates from Territories, the Vice President of the United States, the Secretary of the Senate, and the Clerk of the House of Representatives, shall have the power to send and receive public

\* These rates allowed upon sums received in a quarter—by the 1st section of the act of 14th May, 1848—by 4th section of same act an additional sum allowed on the first hundred dollars for night service.

documents free of postage during their term of office, and that the said members and delegates shall have the power to send and receive public documents free of postage up to the first Monday of December following the expiration of their term of office.

SEC. 4. *And be it further enacted*, That the Secretary of the Senate and Clerk of the House of Representatives shall have the power to receive, as well as to send, all letters and packages, not weighing over two ounces, free of postage, during their term of office.

SEC. 5. *And be it further enacted*, That members of Congress shall have the power to receive, as well as to send, all letters and packages, not weighing over two ounces, free of postage, up to the first Monday in December following the expiration of their term of office.\*

APPROVED, *March 1, 1847.*

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## AN ACT

Making appropriations for the service of the Post Office Department for the year ending the thirtieth June, eighteen hundred and forty-eight.

SEC. 1. *Provided*, That it shall not be lawful for the Postmaster General to make any allowance or compensation to any deputy postmaster, in addition to his commissions, except the special allowance made by law to the postmasters at New Orleans and the City of Washington, and excepting, also, the allowance to which postmasters are entitled by law, from the income from boxes: *And provided further*, That each deputy postmaster, whose compensation for the last preceding year did not exceed two hundred dollars, may send through the mail all letters written by himself, and receive through the mail all written communications addressed to himself on his private busi-

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\* Upon the subjects of the 3d, 4th, and 5th sections of this act see also the 1st, 7th and 8th sections of the act of 3d March, 1845.



ness which shall not exceed in weight one half ounce, free of postage.\*

Depredations &  
special agents.  
Proviso.

For mail depredations and special agents, thirteen thousand dollars: *Provided*, That the Postmaster General be, and he is hereby, authorized to employ, when the service may require it, the assistant postmasters general as special agents, and to make them compensation and allowance therefor, not to exceed the amount expended by said agents as necessary travelling expenses while so employed.

Salaries of as-  
sistant messengers.

SEC. 3. *And be it further enacted*, That the assistant messengers of the Post Office Department shall be entitled to an annual salary of four hundred and fifty dollars.

APPROVED, March 2, 1847.

## AN ACT

To establish certain post routes and for other purposes.

Mail from  
Charleston to  
Chagres, and  
from Panama to  
Astoria.

Proviso.

SEC. 6. *And be it further enacted*, That the Postmaster General be, and he is hereby authorized, to contract for transporting a mail from Charleston, South Carolina, to Chagres, touching at St. Augustine and Key West, and also at Havana, in the Island of Cuba, if deemed expedient, and across the isthmus of Panama, and from thence to Astoria or the mouth of the Columbia river, touching at Monterey, St. Francisco, and such other places on the coast as the Postmaster General may direct; the mail to be conveyed from Charleston to Chagres, and from Panama to Astoria, in steamships, and to be transported each way once every two months, or oftener, as the public interest may require: *Provided*, That the expenditure for said service shall not exceed one hundred thousand dollars per annum.

SEC. 7. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to es-

\* Postmaster General may, in case commissions are reduced and labor increased, increase twenty per cent. by the 6th section of the act of 3d March, 1851.

established a post office and appoint a deputy postmaster at Astoria, and such other places on the coast of the Pacific, within the territory of the United States, as the public interest may require: that all letters conveyed to or from Chagres shall be charged with twenty cents postage; and all letters conveyed to or from Havana shall be subject to twelve and half cents postage; and letters carried to or from Panama shall pay a postage of thirty cents, and letters to or from Astoria, or any other place on the Pacific coast, within the territory of the United States, shall pay forty cents postage.\*

Post Office to be established at Astoria.

Rates of postage.

SEC. 8. *And be it further enacted*, That any contract made in pursuance of this act shall provide for the purchase, by the United States, of the steamships to be employed in conveying the mail, at its option, agreeably to the provisions of an act, entitled "An act to provide for the transportation of the mail between the United States and foreign countries, and for other purposes," approved the third day of March, one thousand eight hundred and forty-five: *Provided*, That the departure and return of said mail may, at the discretion of the Postmaster General, be either from Charleston, New York, Savannah, Pensacola, or New Orleans, as may be deemed most consistent with the public interest:

Contracts to provide for the purchase of the steamships employed in conveying mails.

Provide.

SEC. 9. *And be it further enacted*, That the sum of thirty thousand dollars be, and the same is hereby appropriated for the service herein provided for, to be paid from the general appropriation for mail transportation.

\$30,000 appropriated.

SEC. 10. *And be it further enacted*, That the Postmaster General be authorized and directed, when in his judgment the public interest or convenience may require it, to establish one or more branch post offices, to facilitate the operation of the post office in any city or place which in the opinion of the Postmaster General, may require such additional accommodation for the convenience of the inhabitants; and it shall be the duty of the Postmaster General to prescribe

Branch post office.

\* All these postages are superseded directly or indirectly by or under the act of the 3d March, 1851.

the rules and regulations for the branch post offices which may be established by virtue of this act ; and no additional postage shall be charged for the receipt or delivery of any letter or packet at such branch post office.\*

**Postage stamps.** SEC. 11. *And be it further enacted,* That to facilitate the transportation of letters in the mail, the Postmaster General be authorized to prepare postage stamps, which when attached to any letter or packet, shall be evidence of the payment of the postage chargeable on such letter, which said stamps the Postmaster General may deliver to any deputy postmaster who may apply for the same, the deputy postmaster paying, or becoming accountable for the amount of the stamps so received by him ; and if any of said stamps shall not be used, but be returned to the General Post Office, the amount so returned shall be credited to such deputy postmaster ; and such deputy postmaster may sell or dispose of any stamps so received by him, to any person who may wish to use the same ; but it shall not be lawful for any deputy postmaster to prepare, use, or dispose of any postage stamps not authorized by and received from the Postmaster General ; and any person who shall falsely and fraudulently make, utter, or forge any postage stamp with the intent to defraud the Post Office Department, shall be deemed guilty of felony and on conviction shall be subject to the same punishment as is provided in the twenty-first section of the act approved the third day of March, eighteen hundred and twenty-five, entitled "An act to reduce into one the several acts establishing and regulating the Post Office Department."<sup>†</sup>

**Penalty for forging such stamps.**

SEC. 12. *And be it further enacted,* That so much

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\* Former provisions for letter carriers in 36th section of the act of 3d March, 1825, and in 41st section of the act of 2d July, 1836. Postmaster General by 10th section of the act of 3d March, 1851, may establish routes within the cities or towns wherein the postmaster is of presidential appointment ; appoint carriers, &c. Special provisions in respect to California in 2d section of the 2d act of the 3d March, 1851.

† Further provisions upon the subject of stamps contained in the 3d section of the act of 3d March, 1851.

of the sixth section of the act to which this is supplementary as requires the Postmaster General to cause accounts of the postage that would be chargeable by the rates prescribed in said act upon all matter passing free through the mail, and that the same shall be paid to the Post Office Department from the contingent funds of the two Houses of Congress, and of the other departments of the government for which such mail service may have been performed, be and the same is hereby repealed; and that in lieu of such payment, and in compensation for such mail services as may be performed for the several departments of the Government, there shall be paid to the Post Office Department, from the Treasury, for each year's service, the sum of two hundred thousand dollars, which is hereby appropriated for that purpose, out of any unappropriated money in the Treasury.\*

Repeal of so much of the 6th section of the act of 3d March, 1845, as requires accounts to be kept of the postages of the public departments, &c.

\$200,000 appropriated in lieu thereof.

SEC. 13. *And be it further enacted*, That it shall not be lawful to deposite in any post office, to be conveyed in the mail, two or more letters directed to different persons enclosed in the same envelope or packet; and every person so offending shall forfeit the sum of ten dollars, to be recovered by action *quidam*, one half for the use of the informer, and the other half for the use of the Post Office Department: *Provided*, That this prohibition shall not apply to any letter or packet, directed to any foreign country, and all newspapers conveyed in the mail, shall be subject to postage, except those sent by way of exchange between the publishers of newspapers, and except those franked by persons enjoying the franking privilege; and newspapers not sent from the office of publication, and all hand-bills or circulars printed or lithographed, not exceeding one sheet, shall be subject to three cents postage each, to be paid when deposited in any post office to be conveyed in the mail; and it shall be lawful for any contractor, or mail carrier, to transport newspapers† out of the mail for sale

Penalty for depositing in any P. O. two or more letters to different persons under the same envelope.

Proviso.

All newspapers, with certain exceptions, hand-bills, &c., to be subject to postage.

Contractors or mail carriers may transport papers out of the mail, &c.

\* Further compensation provided by the 8th section of the act of 3d March, 1851.

† Newspapers not sent from office of publication, subject to the same postage as other newspapers, but postage to be prepaid—see act of 3d March, 1849. The postage on this and other descriptions

What publica-  
tions shall be con-  
sidered as public  
documents, and  
may be franked as  
such.

or distribution to subscribers; and the Postmaster General shall have authority to pay or cause to be paid a sum not exceeding two cents each, for all letters or packets conveyed in any vessel or steamboat not employed in carrying the mail, from one post or place to any other post or place in the United States subject to such regulations as the Postmaster General may prescribe; and such publications or books as have been or may be published, procured, or purchased by order of either House of Congress, or a joint resolution of the two Houses, shall be considered as public documents, and entitled to be franked as such; and it shall not be lawful to make any allowance or compensation to deputy postmasters in addition to their commissions as authorized by law, excepting the receipts from boxes, of which all beyond\* two thousand dollars, shall be applied in defraying the expenses of their offices, and to be accounted for in the same manner as they are required to account for their commissions; and excepting the special allowance made by law to the postmasters at Washington City and New Orleans.

Repeal of so  
much of the act of  
May 3d, 1845, as  
is inconsistent  
herewith.

SEC. 14. *And be it further enacted,* That so much of the act approved the third day of March, A. D., eighteen hundred and forty-five, entitled "An act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege, and for the prevention of frauds on the Post Office Department," and of all other acts relating to the Post Office Department, or the service of that department, as is inconsistent with this act, be and the same are hereby repealed.

APPROVED, *March 3, 1847.*

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of transient matter modified, but still to be prepaid by 2d section of the act of 3d March, 1851. By the 9th, 10th, 11th, 12th, and 13th sections of the act of 3d March, 1845, newspapers, pamphlets, magazines and periodicals are excepted from the restriction to carriage in the mail applicable to other mailable matter. By the 15th section they are allowed to be sent as merchandise to an agent for distribution.

\* Previous restriction to \$3,000 by 2d section of the act of 18th of May, 1842.

## AN ACT

Providing for the building and equipment of four naval steamships.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States be, and he is hereby, authorized to cause to be built and equipped four first-class sea-going steamships, to be attached to the navy of the United States, and that one million of dollars be, and is hereby appropriated for that purpose, to be paid out of any money in the treasury not otherwise appropriated.

Four first class steamships to be built and equipped.

SEC. 2. *And be it further enacted,* That from and immediately after the passage of this act, it shall be the duty of the Secretary of the Navy to accept, on the part of the Government of the United States, the proposals of E. K. Collins and his associates, of the City of New York, submitted to the Postmaster General, and dated Washington, March 6th, eighteen hundred and forty-six, for the transportation of the United States mail between New York and Liverpool, and to contract with the said E. K. Collins and his associates for the faithful fulfilment of the stipulations therein contained, and in accordance with the provisions of this act.

Secretary of the Navy to accept the proposals of E. K. Collins & Co. for transportation of mail between New York and Liverpool.

SEC. 3. *And be it further enacted,* That the steamships to be employed by the said E. K. Collins and his associates in the transportation of the United States mail between New York and Liverpool shall be constructed under the inspection of a naval constructor in the employ of the Navy Department, and shall be so constructed as to render them convertible, at the least possible cost, into war-steamers of the first class; and that each of said steamers shall receive on board four passed midshipmen of the United States navy, who shall serve as watch officers, and be suitably accommodated without charge to the government; and the said steamers shall also receive on board and accommodate, without charge to the government, one agent, to be appointed by the Postmaster General, who shall have charge of the mails to be transported in said steamships.

Steamships—how to be constructed, &c.

Each steamship shall receive on board four passed midshipmen and a mail agent.

Secretary of the Navy to contract with A. G. Sloo for transportation of mail between New York and New Orleans, &c.

What description of steamships shall be employed, and how commanded.

Each of said steamers to receive on board four passed midshipmen and mail agent.

Proviso.

Compensation.

Secretary of the Navy to contract

**SEC. 4.** *And be it further enacted,* That from and immediately after the passage of this act it shall be the duty of the Secretary of the Navy to contract, on the part of the government of the United States, with A. G. Sloo, of Cincinnati, for the transportation of the United States mail from New York to New Orleans, twice a month and back, touching at Charleston, (if practicable,) Savannah, and Havana; and from Havana to Chagres and back, twice a month. The said mail to be transported in at least five steamships of not less than fifteen hundred tons burden, and propelled by engines of not less than one thousand horse power each, to be constructed under the superintendence and direction of a naval constructor in the employ of the Navy Department, and be so constructed as to render them convertible, at the least possible expense, into war steamers of the first class; and that the said steamships shall be commanded by officers of the United States navy not below the grade of lieutenant, who shall be selected by the contractor, with the approval and consent of the Secretary of the Navy, and who shall be suitably accommodated without charge to the government. Each of said steamers shall receive on board four passed midshipmen of the United States navy, who shall serve as watch officers and be suitably accommodated without charge to the government; and each of the said steamers shall also receive on board and accommodate, without charge to the government, one agent, to be appointed by the Postmaster General, who shall have charge of the mails to be transported in said steamers: *Provided,* The Secretary of the Navy may, at his discretion, permit a steamer of not less than six hundred tons burden, and engines in proportion to be employed in the mail service herein provided for between Havana and Chagres: *Provided, further,* That the compensation for said service shall not exceed the sum of two hundred and ninety thousand dollars, and that good and sufficient security be required for the faithful fulfilment of the stipulations of the contract.

**SEC. 5.** *And be it further enacted,* That it shall be the duty of the Secretary of the Navy to contract, on behalf of the government of the United States, for the

transportation of the mail from Panama to such port as he may select in the territory of Oregon, once a month each way, so as to connect with the mail from Havana to Chagres across the isthmus; said mail to be transported in either steam or sailing vessels as shall be deemed most practicable and expedient.

SEC. 6. *And be it further enacted*, That it shall be the duty of the Secretary of the Navy to provide, in the contracts authorized by this act, that the Navy Department shall at all times exercise control over said steamships, and at any time have the right to take them for the exclusive use and service of the United States, and to direct such changes in their machinery and internal arrangements as the Secretary of the Navy may require; due provision being made in the said contracts for the mode of ascertaining the proper compensation to the contractors therefor.

Secretary to provide in the contracts that the Navy Department shall have control over said steamships.

APPROVED, *March 3, 1847.*

## AN ACT

In amendment of an act entitled "An act to amend the act entitled 'An act to reduce the rates of postage, to limit the use and correct the abuse of the franking privilege and for the prevention of fraud in the revenues of the Post Office Department,'" passed the third day of March, one thousand eight hundred and forty-five.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the rates of commissions authorized to be paid to postmasters by the first section of said act, shall be allowed and paid to them on the amount of postage received in each quarter of the year, and in due proportion for any period less than a quarter, instead of being allowed and paid on the amount received for a year, as was by mistake provided for in said act.\*

SEC. 2. *And be it further enacted*, That all postmasters whose commissions have been diminished by

\* The act of Congress made the commissions computable upon the annual, instead of the quarterly receipts.



their being allowed and paid on the amount of postage received in a year, instead of on the amount received in a quarter, shall be permitted to resettle and adjust their accounts according to the first section of this act, and shall be allowed and paid such sums as may be justly found their due on such resettlement of their accounts.

SEC. 4. *And be it further enacted*, That the postmasters at offices where the mail is regularly to arrive between the hours of nine o'clock at night and five in the morning, the commission on the first hundred dollars collected in one quarter may be increased by the Postmaster General to a sum not exceeding fifty per cent.\*

APPROVED, *May* 17, 1848.

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## AN ACT

To amend the Act to provide for the transportation of the mail between the United States and foreign countries and for other purposes.

SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Postmaster General, under the direction of the President of the United States, be and he is hereby authorized and empowered to charge upon, and collect from, all letters and other mailable matter carried to or from any port of the United States, in any foreign packet ship or other vessel, the same rate or rates of charge for American postage, which the government to which such foreign packet or other vessel belongs imposes upon letters or other mailable matter conveyed to or from such foreign country in American packets or other vessels, as the postage of such government, and at any time to revoke the same. And it shall be the duty of all custom-house officers and other United

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\* The first section of the act of 3d March, 1847, is regarded as repealing the allowance for night mails. This act re-enacts it from the time of its passage at a reduced rate.

States agents designated or appointed for that purpose to enforce or carry into effect the foregoing provision, and to aid or assist in the collection of such postage. And to that end, it shall be lawful for such officers and agents, on suspicion of fraud, to open and examine, in the presence of two or more respectable persons, being citizens of the United States, any package or packages supposed to contain mailable matter found on board such packets or other vessels, or elsewhere, and to prevent, if necessary, such packets or other vessels from entering, breaking bulk, or making clearance, until such letters or other mailable matter are duly delivered into the United States post office.

SEC. 2. *And be it further enacted*, That all letters or other mailable matter conveyed to or from any port of the United States, by any foreign packet or ship, except such unsealed letters relating to said ship or vessel, or any part of the cargo thereof as may be directed to the owner or owners, consignee or consignees of said ship or other vessel, shall be so subject to postage charge as aforesaid, whether addressed to any person in the United States or elsewhere: provided it is done by the packet or other ship of a foreign country imposing postage on letters or mailable matter conveyed to or from such country by any packet or other ship of the United States, and such letters or other mailable matter carried in foreign packet ships or other vessels, except such unsealed letters relating to the ship or vessel or any part of the cargo thereof, as may be directed to the owner or owners, consignee or consignees, as aforesaid, are hereby required to be delivered into the United States post office by the master or commanders of all such packets or other vessels when arriving, and to be taken from a United States post office, when departing, and the postage paid thereon justly chargeable by this act, and for refusing or failing to do so, or for conveying said letters or any letters intended to be conveyed in any ship or vessel of such foreign country over or across the United States, or any portion thereof, the party offending shall, on conviction, forfeit and pay not exceeding five thousand dollars for each offense.

**SEC. 3.** *And be it further enacted,* That in case the person or persons or the directors of any incorporated company who have entered into any contract, or who may hereafter enter into any contract with the Postmaster General for conveying the mail of the United States to any foreign country in pursuance of the act entitled "An act to provide for the transportation of the mail between the United States and foreign countries and for other purposes, approved the third day of March, eighteen hundred and forty-five, or of any other act, in which said contract there is a stipulation on the part of such contractor, giving to the United States the right to purchase, at an appraised value, the steamship or ships required by such contract to be employed in conveying the mail, shall decline to sell and deliver to the United States such ship or ships, or shall refuse to name and appoint appraisers to value the same agreeably to the provisions of said act, or the same having been appraised and valued, shall refuse to convey and deliver said ship or ships to the United States, on the payment, or tender of payment, by the United States, of the sum at which the said ship or ships may have been appraised and valued, such person or persons so offending shall forfeit a sum not exceeding one hundred thousand dollars, to be recovered in any proper action, for the use of the Treasury of the United States; and in case of refusal or inability to pay the same, shall be liable to be imprisoned not exceeding one year, at the discretion of the court rendering judgment for such penalty.

**SEC. 4.** *And be it further enacted,* That to secure the regular transmission of the mail to and from foreign countries, the Postmaster General be and he is hereby authorized and required to impose fines on contractors for any unreasonable or unnecessary delay in the departure of such mails or in the performance of the trip: *Provided,* That the fine for any one default shall not exceed one half of the contract price paid for the trip.

**SEC. 5.** *And be it further enacted,* That it shall not be lawful for any contractor for transporting the mail to any foreign country to assign or transfer his contracts; and all such assignments or transfers shall be

null and void : *Provided*, That assignments and transfers which have been made and accepted by the Postmaster General, or the Secretary of the Navy, before the passage of this act, shall not be affected by this section.

APPROVED, *June 27, 1848.*

## AN ACT

To establish certain post routes.

SEC. 3. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to establish post offices and appoint deputy postmasters at San Diego, Monterey, and San Francisco, and such other places on the coast of the Pacific, in California, within the territory of the United States, and to make such temporary arrangements for the transportation of the mail in said territory, as the public interest may require; that all letters conveyed to or from any of the above mentioned places on the Pacific, from or to any place on the Atlantic coast, shall be charged with forty cents postage; that all letters conveyed from one to any other of the said places on the Pacific shall pay twelve and a half cents postage; and the Postmaster General is authorized to apply\* any moneys received on account of postages aforesaid to the payments to be made on the contract for the transportation of the mails in the Pacific ocean; and the Postmaster General is further authorized to employ not exceeding two agents in making arrangements for the establishment of post offices, and for the transmission, receipt, and conveyance of letters in Oregon and California, at an annual compensation not exceeding that of the principal clerks in the Post Office Department.†

Postmaster General may establish certain post offices in California and make temporary arrangements for transportation of mail in said Territory.

Rates of postage.

Agents for mail service in Oregon and California to be appointed.

APPROVED, *August 14, 1848.*

\* Authority for special application of postages contained in the 10th section of the act of 3d March, 1848.

† The provisions of this section extended to Utah and New Mexico by the 2d section of the act of 27th September, 1850. The postages fall under the general provisions in the 1st and 2d sections of the act of 3d March, 1848.

## AN ACT

To authenticate certain records.

Books, papers, &c., in the War, Navy, Treasury, and Post Office Departments, may be copied and certified in the same manner as in the State Department.

Attorney General to have a seal.

SEC. 3. *And be it further enacted*, That all books, papers, documents, and records in the War, Navy, Treasury, and Post Office Departments, and the Attorney General's office, may be copied and certified under seal in the same manner as those in the State Department may now by law be, and with the same force and effect, and the said Attorney General shall cause a seal to be made and provided for his office, with such device as the President of the United States shall approve.\*

APPROVED, *February 22, 1849.*

## AN ACT

Making appropriations for the service of the Post Office Department, for the year ending the thirtieth of June, one thousand eight hundred and fifty.

Rates of letters transported under the postal treaty with Great Britain.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the better to enable the postal treaty with Great Britain to go into full effect with equal advantage to both countries, letters shall be mailed as composing one rate only where the letter does not exceed the weight of a half ounce avoirdupois ; where it exceeds a half ounce but does not exceed an ounce, as composing two rates ; where it exceeds an ounce† but does not exceed two ounces, as composing

\*For authority of Postmaster Generals to keep a seal—See 1st section of the act of 3d March, 1827.

The 5th section of the act of 15th September, 1789, provides that the Secretary of State shall cause a seal of office to be made for the said (State) Department, of such device as the President of the United States shall approve, and all copies of records and papers in the said office, authenticated under the said seal shall be evidence equally as the original record or paper.

†For scale of progression above one ounce—See 4th art. postal treaty with Great Britain, and 9th article of the details under it. The act of 3d March, 1851, provides a scale of half ounces throughout in respect to domestic postages which is extended to postages with the British North American provinces, but leaves the former scale in force in respect to all other foreign letters.

four rates ; where it exceeds two ounces but does not exceed three ounces, as composing six rates ; where it exceeds three ounces, but does not exceed four ounces, as composing eight rates ; and in like progression for each additional ounce, or fraction of an ounce, and that each rate shall be subject to the full postage charge ; that\* letters refused, or which cannot be delivered, may be immediately returned to the dead letter office, and that† newspapers not sent from the office of publication shall be charged with the same postage as other papers, to be pre-paid.‡

APPROVED, *March 3, 1849.*

### AN ACT

To extend the privilege of franking letters and packages to Sarah Polk.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all letters and packages to and from Sarah Polk, relict of the late James K. Polk, shall be received and conveyed by post, free of postage, for and during her life.

Franking privilege to Mrs. Polk.

APPROVED, *January 10, 1850.*

### AN ACT

To grant the franking privilege to Mrs. Margaret S. Taylor.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the franking privilege heretofore accorded to the widows of the deceased Presidents be, and the same is hereby, granted to Mrs. Margaret Smith Taylor, relict of Zachary Taylor, late President of the United States.

Franking privilege to Mrs. Taylor.

APPROVED, *July 18, 1850.*

\* But letters not called for, but which may be called for, are left subject to the provisions of the 26th section of the act of 3d March, 1825.

† See note to 13th section of the act of 3d March, 1847.

‡ For new scale of progression on domestic letters and for newspaper postage generally, see act of March 3d, 1851.

## AN ACT

To establish certain post roads in the United States.

**Postages in Utah and New Mexico.** SEC. 2. *And be it further enacted*, That the third section of the act of August the fourteenth, eighteen hundred and forty-eight, entitled "An act to establish certain post routes," be extended to the Territories of Utah and New Mexico, and that the Postmaster General be authorized to establish such rates of postage in said territories as to him may seem proper, not exceeding those authorized in said act.\*

APPROVED, *September 27, 1850.*

## AN ACT

To reduce and modify the rates of postage in the United States, and for other purposes.

**Rates of Postage.** SEC. 1. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the thirtieth day of June, eighteen hundred and fifty-one, in lieu of the rates of postage now established by law, there shall be charged the following rates, to wit: For every single letter in manuscript, or paper of any kind upon which information shall be asked for, or communicated in writing, or by marks or signs, conveyed in the mail, for any distance between places within the United States not exceeding three thousand miles, when the postage upon such letter shall have been prepaid, three cents, and five cents when the postage thereon shall not have been prepaid; and for any distance exceeding three thousand miles, double those rates for every such single letter or paper when conveyed wholly or in part by sea, and to or from a foreign country, for any distance over twenty-five hundred miles, twenty cents, and for any distance under twenty-five hundred miles, ten cents, (excepting, however, all cases where such postage has been or shall be adjusted at different rates by postal treaty or conven-

**Foreign—except fixed by treaty, or by the Postmaster General.**

\*These postages fall under the general provisions of the act of 3d March, 1851.

tion, already concluded or hereafter to be made;) and for a double letter, there shall be charged double the rates above specified; and for a treble letter, treble those rates; and for a quadruple letter, quadruple those rates; and every letter or parcel not exceeding half an ounce in weight, shall be deemed a single letter; and every additional weight of half an ounce, or additional weight of less than half an ounce, shall be charged with an additional single postage. And all drop-letters, or letters placed in any post office, not for transmission, but for delivery only, shall be charged with postage at the rate of one cent each; and all letters which shall hereafter be advertised as remaining over or uncalled for, in any post office, shall be charged with one cent in addition to the regular postage, both to be accounted for as other postages now are.

Scale of progression.

Drop letters.

SEC. 2. *And be it further enacted*, That all newspapers not exceeding three ounces in weight, sent from the office of publication to actual and *bona fide* subscribers, shall be charged with postage as follows, to wit: All newspapers published weekly only, shall circulate in the mail free of postage within the county where published, and that the postage on the regular numbers of a newspaper published weekly, for any distance not exceeding fifty miles out of the county where published, shall be five cents per quarter for any distance exceeding fifty miles, and not exceeding three hundred miles, ten cents per quarter; for any distance exceeding three hundred miles and not exceeding one thousand miles, fifteen cents per quarter; for any distance exceeding one thousand miles and not exceeding two thousand miles, twenty cents per quarter; for any distance exceeding two thousand miles and not exceeding four thousand miles, twenty-five cents per quarter; for any distance exceeding four thousand miles, thirty cents per quarter; and all newspapers published monthly, and sent to actual and *bona fide* subscribers, shall be charged with one-fourth the foregoing rates; and on all such newspapers published semi-monthly shall be charged with one-half the foregoing rates; and papers published semi-weekly shall be

Postage on newspapers to subscribers.

Free when weekly



charged double those rates ; tri-weekly, treble those rates ; and oftener than tri-weekly, five times those rates. And there shall be charged upon every other newspaper, and each circular not sealed, handbill, engraving, pamphlet, periodical, magazine, book, and every other description of printed matter, which shall be unconnected with any manuscript, or written matter, and which it may be lawful to transmit through the mail, of no greater weight than one ounce, for any distance not exceeding five hundred miles, one cent ; and for each additional ounce, or fraction of an ounce, one cent ; for any distance exceeding five hundred miles and not exceeding one thousand five hundred miles, double those rates ; for any distance exceeding one thousand five hundred miles and not exceeding two thousand five hundred miles, treble those rates ; for any distance exceeding two thousand five hundred miles and not exceeding three thousand five hundred miles, four times those rates ; for any distance exceeding three thousand five hundred miles, five times those rates. Subscribers to all periodicals shall be required to pay one quarter's postage in advance : and in all such cases the postage shall be one-half the foregoing rates. Bound books, and parcels of printed matter not weighing over thirty-two ounces, shall be deemed mailable matter under the provisions of this section. And the postage on all printed matter other than newspapers and periodicals published at intervals, not exceeding three months, and sent from the office of publication to actual and *bona fide* subscribers, to be pre-paid ; and in ascertaining the weight of newspapers for the purpose of determining the amount of postage chargeable thereon, they shall be weighed when in a dry state. And whenever any printed matter on which the postage is required by this section to be pre-paid shall, through the inattention of postmasters, or otherwise, be sent without prepayment, the same shall be charged with double the amount of postage which would have been chargeable thereon if the postage had been pre-paid : but nothing in this act contained shall subject to postage any matter which is exempted from the payment of postage by any existing law. And the Postmaster General

**Of transient matter.**

**Of periodicals in advance.**

**Books and parcels.**

**To be pre-paid.**

**Weight how ascertained.**

**Sent through inattention.**

**Postmaster General.**

ral, by and with the advice and consent of the President of the United States, shall be and he hereby is authorized to reduce or enlarge, from time to time, the rates of postage upon all letters and other mailable matter conveyed between the United States and any foreign country, for the purpose of making better postal arrangements with other governments or counteracting any adverse measures affecting our postal intercourse with foreign countries ; and postmasters at the office of delivery are hereby authorized, and it shall be their duty to remove the wrappers and envelopes from all printed matter and pamphlets not charged with letter postage, for the purpose of ascertaining whether there is upon or connected with any such printed matter or in such package any matter or thing which would authorize or require the charge of a higher rate of postage thereon. And all publishers of pamphlets periodicals, magazines, and newspapers which shall not exceed sixteen ounces in weight, shall be allowed to interchange their publications reciprocally free of postage: *Provided*, That such interchange shall be confined to a single copy of each publication: *And provided, also*, That said publishers may enclose in their publications the bills for subscriptions thereto, without any additional charge for postage: *And provided, further*, That in all cases where newspapers shall not contain over three hundred square inches they may be transmitted through the mails by the publishers to *bona fide* subscribers at one-fourth the rates fixed by this act.

eral may reduce or  
enla. ge.

Postmasters to  
remove wrappers.

Publishers may  
interchange and  
send bills.

Newspapers under  
300 square  
inches.

Postmaster General to provide  
postage stamps.

Penalty for frauds  
in.

SEC. 3. *And be it further enacted*, That it shall be the duty of the Postmaster General to provide and furnish to all deputy postmasters and to all other persons applying and paying therefor, suitable postage stamps, of the denomination of three cents, and of such other denominations as he may think expedient to facilitate the pre-payment of the postages provided for in this act; and any person who shall forge or counterfeit any postage stamp provided or furnished under the provisions of this or any former act, whether the same are impressed or printed on or attached to envelopes or not, or any die, plate, or engraving therefor, or shall make or print, or

knowingly use or sell, or have in his possession with intent to use or sell, any such false, forged, or counterfeited die, plate, engraving, or postage stamp, or who shall make or print, or authorize or procure to be made or printed, any postage stamps of the kind provided and furnished by the Postmaster General as aforesaid, without the especial authority and direction of the Post Office Department, or who, after such postage stamps have been printed, shall, with intent to defraud the revenues of the Post Office Department deliver any postage stamps to any person or persons other than such as shall be authorized to receive the same by an instrument of writing duly executed under the hand of the Postmaster General, and the seal of the Post Office Department, shall, on conviction thereof, be deemed guilty of felony, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding five years, or by both such fine and imprisonment; and the expenses of procuring and providing all such postage stamps and letter envelopes, as are provided for or authorized by this act, shall be paid, after being adjusted by the auditor of the Post Office Department, on the certificate of the Postmaster General, out of any money in the Treasury arising from the revenues of the Post Office Department.\*

Mailing postmaster to deface.

Delivering postmaster to deface if omitted, and report delinquent.

Penalty for re-using.

SEC. 4. *And be it further enacted*, That it shall be the duty of every postmaster to cause to be defaced, in such manner as the Postmaster General shall direct, all postage stamps attached to letters deposited in his office for delivery, or to be sent by mail; and if any postmaster, sending letters in the mail with postage stamps attached, shall omit to deface the same, it shall be the duty of the postmaster to whose office such letters shall be sent for delivery to deface the stamps and report the delinquent postmaster to the Postmaster General. And if any person shall use or attempt to use, in prepayment of postage, any postage stamp which shall have been before used for like purposes, such person shall be subject to a penalty of fifty dollars for every such offence, to be recovered in

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\* Former provisions upon the subject of stamps contained in the 11th section of the act of 3d March, 1847.

the name of the United States, in any court of competent jurisdiction.

SEC. 5. *And be it further enacted*, That lists of letters remaining uncalled for in any post office in any city, town or village, where a newspaper shall be printed, shall hereafter be published once only in the newspaper, which, being issued weekly or oftener, shall have the largest circulation within the range of delivery, of said office, to be decided by the postmaster at such office, at such time, and under such regulations as the Postmaster General shall prescribe; and at a charge of one cent for each letter advertised. And the postmaster at such office is hereby directed to post in a conspicuous place in his office a copy of such list, on the day or day after the publication thereof; and if the publisher of any such paper shall refuse to publish the list of letters as provided in this section, the postmaster may designate some other paper for such purpose. Such lists of letters shall be published once in every six weeks, and as much oftener, not exceeding once a week, as the Postmaster General may specially direct: *Provided*, That the Postmaster General may, in his discretion, direct the publication of German and other foreign letters in any newspaper printed in the German or any other foreign language, which publication shall be in either lieu of, or in addition to the publication of the list of such letters in the manner first in this section provided, as the Postmaster General shall direct.

Advertising letters.

In what papers.

Foreign letters.

SEC. 6. *And be it further enacted*, That to any postmaster whose commissions may be reduced below the amount allowed at his office for the year ending the thirtieth day of June, eighteen hundred and fifty-one, and whose labors may be increased, the Postmaster General shall be authorized, in his discretion, to allow such additional commissions as he may deem just and proper: *Provided*, That the whole amount of commissions allowed such postmaster during any fiscal year shall not exceed by more than twenty per cent. the amount of commissions at such office for the year ending the thirtieth day of June, eighteen hundred and fifty-one.

Additional compensation to postmasters.

SEC. 7. *And be it further enacted*, That no post-

No discontinu-

ence of office on post route. office now in existence shall be discontinued, nor shall the mail service on any mail route in any of the States or Territories be discontinued or diminished, in consequence of any diminution of the revenues that may result from this act; and it shall be the duty of the Postmaster General to establish new post offices, and place the mail service on any new mail routes established, or that may hereafter be established, in the same manner as though this act had not passed.

SEC. 8. *And be it further enacted*, That there shall be paid to the Post Office Department, in further payment and compensation for the mail service performed for the two Houses of Congress and the other Departments and offices of the Government in the transportation of free matter, the sum of five hundred thousand dollars per year, which shall be paid quarterly, out of any moneys in the Treasury not otherwise appropriated; and the moneys appropriated to the Post Office Department by the twelfth section of the act "to establish certain post routes and for other purposes," approved March third, eighteen hundred and forty-seven, and remaining undrawn in the Treasury, shall continue subject to the requisition of the Postmaster General, for the service of the Post Office Department, notwithstanding the same may have so remained so undrawn for more than two years after it became subject to such requisition.\*

SEC. 9. *And be it further enacted*, That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of five hundred thousand dollars, to supply any deficiency that may arise in the Post Office Department.

SEC. 10. *And be it further enacted*, That it shall be in the power of the Postmaster General, at all post offices where the postmasters are appointed by the President of the United States, to establish post routes within the cities or towns, to provide for conveying letters to the post office, by establishing suitable and convenient places of deposite, and by employing carriers to receive and deposit them in the post office;

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\*\$200,000 provided by the 12th section of the act of 3d March, 1847.

and at all such offices it shall be in his power to cause letters to be delivered by suitable carriers, to be appointed by him for that purpose, for which not exceeding one or two cents shall be charged, to be paid by the person receiving or sending the same; and all sums so received shall be paid into the Post Office Department: *Provided*, The amount of compensation allowed by the Postmaster General to carriers shall in no case exceed the amount paid into the Treasury, by each town or city, under the provisions of this section.\*

SEC. 11. *And be it further enacted*, That from and the passage of this act it shall be lawful to coin, at the mint of the United States and its branches, a piece of the denomination and legal value of three cents, or three-hundredths of a dollar, to be composed of three-fourths silver and one-fourth copper, and to weigh twelve grains and three-eighths of a grain; that the said coin shall bear such devices as shall be conspicuously different from those of the other silver coins, and of the gold dollar, but having the inscription "United States of America," and its denomination and date; and that it shall be a legal tender in payment of debts for all sums of thirty cents and under; and that no ingots shall be used for the coinage of the three cent pieces herein authorized, of which the quality differs more than five thousandths from the legal standard; and that, in adjusting the weight of the said coin, the following deviations from the standard weight shall not be exceeded, namely—one-half of a grain in the single piece, and one pennyweight in a thousand pieces.

Three cent coin.

APPROVED, *March 3, 1851.*

### AN ACT

Making appropriations for the service of the Post Office Department, during the fiscal year ending the thirtieth of June, one thousand eight hundred and fifty-two, and for other purposes.

For incidental expenses of post offices in California, from the dates respectively of their establishment to the thirtieth of June, eighteen hundred and fifty-one, Offices in California. sixty-six thousand dollars; or so much thereof as may

\*Special provisions for California and Oregon in second section of second act of this date.

be necessary in addition to the commissions allowed by law to postmasters; to be expended at such offices in such proportions, and under such regulations, as the Postmaster General may direct, and to be accounted for as commissions.

Letter carriers in  
California & Ore-  
gon.

SEC. 2. *And be it further enacted*, That the Postmaster General shall be, and he is hereby, authorized to appoint letter-carriers for the delivery of letters from any post office in California or Oregon, and to allow the letter-carriers who may be appointed at any such post office, to demand and receive such sum for all letters, newspapers, or other mailable matter delivered by them, as may be recommended by the postmaster for whose office such letter-carrier may be appointed; not exceeding five cents for every letter, two cents for every newspaper, and two cents for every ounce of other mailable matter; and the Postmaster General shall be, and he is hereby, authorized to empower the special agents of the Post Office Department in California and Oregon, to appoint such letter-carriers in their districts respectively, and to fix the rates of their compensation within the limits aforesaid, subject to, and until the final action of the Postmaster General thereon. And such appointments may be made, and rates of compensation modified, from time to time, as may be deemed expedient; and the rates of compensation may be fixed and graduated in respect to the distance of the place of delivery from the post office for which such carriers are appointed; but the rate of compensation of any such letter-carrier shall not be changed after his appointment, except by the order of the Postmaster General; and such letter-carrier shall be subject to the provisions of the forty-first section of the act entitled "An act to change the organization of the Post Office Department, and to provide more effectually for the settlement of the accounts thereof," approved July second, eighteen hundred and thirty-six, except in cases otherwise provided for in this act.\*

SEC. 3. *And be it further enacted*, That in all cases of fine, penalty, forfeiture, or disability, or alleged

\* General provisions for all offices of presidential appointment in section of former act of this date.

liability for any sum or sums of money, by way of damages or otherwise, under any provision of law relating to the Post Office Department, or the officers, operations, or business thereof, the Postmaster General shall be, and he is hereby, authorized to prescribe such general rules and mode of proceeding as shall to him appear expedient, for the government of the auditor of the Post Office Department, in ascertaining the facts in each case in which it shall be certified to him by such auditor that the interests of the Department probably require the exercise of the power conferred by this act; and upon the facts being ascertained as aforesaid, the said auditor shall have power, with the written consent of the Postmaster General, to mitigate or remit such fine, penalty, or forfeiture, remove such disability, and to compromise, release, and discharge such claims for such sum or sums of money and damages, on such terms as the said auditor shall deem just and expedient; and that in all cases where a judgment shall have been obtained for a debt or damages due the Post Office Department, and it shall satisfactorily appear, by the return of execution or otherwise, that such judgment, or so much thereof as remains unpaid, cannot be collected by due process of law, the said auditor shall be, and he is hereby authorized, with the written consent of the Postmaster General, to compromise such judgment, and accept, in satisfaction thereof, less than the amount of such judgment: *Provided*, That the power conferred by this section shall not extend to any case of fine, penalty, forfeiture, disability, alleged liability or claim which shall be incurred, accrue, or arise, subsequent to the passage of this act; or to any judgment obtained after the passage thereof.

Remission and compromise of penalties and debts.

SEC. 4. *And be it further enacted*, That the Postmaster General is hereby authorized to allow hereafter to the special agents of the Post Office Department the annual salary of sixteen hundred dollars: *Provided*, That no more shall be expended for this purpose, during the present year, than is already appropriated in this act.\*

\*Salary of special agents.

APPROVED, *March 3, 1851.*

\* Restricted to 1,000 dollars per annum, by act of March 3, 1845.



## AN ACT

An act to establish certain Post Roads in the United States and the Territories thereof.

SEC. 2. *And be it further enacted*, That the Postmaster General be, and he is hereby, authorized to enter into contracts, or to make suitable arrangements for transporting through any foreign country the mails of the United States, running from and to any point in the said United States: *Provided*, That such contracts as shall be made under the authority conferred by this section, shall not be for a longer period than four years, and that, in making them, the Postmaster General shall be bound to select the speediest, safest, and most economical route: *Provided further*, That such contract shall be subject to be revoked and annulled whenever any new road or canal shall be cut or opened, affording a speedier, more economical, and equally as safe means of communication between the point of departure and the point of destination of the mail to be transported; and that, in such case, a fair indemnity be awarded to the parties concerned: *And provided further*, That before making such contracts, notice shall be given during sixty days, by advertisements in the usual manner, for inviting proposals for mail contracts.

APPROVED, *March 3, 1851.*

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**REGULATIONS FOR THE GOVERNMENT**

**OF THE**

**POST OFFICE DEPARTMENT.**

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REGULATIONS  
FOR THE  
GOVERNMENT  
OF THE  
POST OFFICE DEPARTMENT.

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ORGANIZATION OF THE POST OFFICE DEPARTMENT.

CHAPTER 1.

SECTION 1. The direction and management of the Post Office Department is assigned by the Constitution and laws to the Postmaster General. That its business may be the more conveniently arranged and prepared for his final action, it is distributed among several Bureaus as follows: The *Appointment Office* in charge of the First Assistant Postmaster General; the *Contract Office* in charge of the Second Assistant Postmaster General; the *Finance Office* in charge of the Third Assistant Postmaster General; and the *Inspection Office* in charge of the Chief Clerk.

FIRST ASSISTANT POSTMASTER GENERAL.

*Appointment Office.*

SEC. 2. To this office are assigned all questions which relate to the establishment and discontinuance of post offices, changes of sites and names, appointment and removal of postmasters, and route and local agents; as also the giving of instructions to postmasters. Postmasters are furnished with marking and rating stamps, and letter balances, by this bureau.

SECOND ASSISTANT POSTMASTER GENERAL.

*Contract Office.*

SEC. 3. To this office is assigned the business of arranging the mail service of the United States, and placing the same under contract,

embracing all correspondence and proceedings respecting the frequency of trips, mode of conveyance, and times of departures and arrivals on all the routes; the course of the mail between the different sections of the country and with foreign countries, the points of mail distribution, and the regulations for the government both of the domestic and foreign mail service of the United States. It prepares the advertisements for mail proposals, receives the bids, and takes charge of the annual and occasional mail lettings, and the adjustment and execution of the contracts. All applications for the establishment or alteration of mail arrangements, and the appointment of mail messengers, should be sent to this office. All claims should be submitted to it for transportation service not under contract, as the recognition of said service is first to be obtained through the Contract Office as a necessary authority for the proper credits at the Auditor's Office. The correspondence under the 6th and 20th sections of the act of 1825, and all other provisions of law for the protection of the mail service, is conducted through this office. From this office all postmasters at the ends of routes receive the statement of mail arrangements prescribed for the respective routes. It reports weekly to the Auditor, all contracts executed, and all orders affecting accounts for mail transportation; prepares the statistical exhibits of the mail service; and the reports of the mail lettings, giving a statement of each bid; also of the contracts made, the new service originated, the curtailments ordered, and the additional allowances granted within the year.

### THIRD ASSISTANT POSTMASTER GENERAL.

#### *Finance Office.*

SEC. 4. To this office are assigned the supervision and management of the financial business of the Department, not devolved by law upon the Auditor, embracing accounts with the draft offices and other depositaries of the Department, the issuing of warrants and drafts in payment of balances reported by the Auditor to be due to mail contractors and other persons, the supervision of the accounts of offices under orders to deposite their quarterly balances at designated points, and the superintendence of the rendition, by postmasters, of their quarterly returns of postages. It has charge of the dead letter office, of the issuing of stamps for the prepayment of postage, and of the accounts connected therewith.

To the Third Assistant Postmaster General all postmasters should direct their quarterly returns of postages; those at draft offices, their letters reporting quarterly the net proceeds of their offices,

and those at depositing offices, their certificates of deposit; to him should also be directed the weekly and monthly returns of the depositaries of the Department, as well as all applications for postage stamps, and for dead letters.

#### CHIEF CLERK.

##### *Inspection Office.*

SEC. 5. To this office is assigned the duty of receiving and examining the registers of the arrivals and departures of the mails, certificates of the service of route agents, and reports of mail failures; of noting the delinquencies of contractors, and preparing cases thereon for the action of the Postmaster General; furnishing blanks for mail registers, and reports of mail failures; providing and sending out mail bags, and mail locks and keys, and doing all other things which may be necessary to secure a faithful and exact performance of all mail contracts.

All cases of mail depredation, of violation of law by private expresses, or by the forging or illegal use of postage stamps, are under the supervision of this office, and should be reported to it.

All communications respecting lost money-letters, mail depredations or other violations of law, or mail locks and keys, should be directed "CHIEF CLERK, POST OFFICE DEPARTMENT."

All registers of the arrivals and departures of the mails, certificates of the service of route agents, reports of mail failures, applications for blank registers and reports of failures, and all complaints against contractors for irregular or imperfect service, should be directed "INSPECTION OFFICE, POST OFFICE DEPARTMENT."

For a more particular enumeration of their duties in connection with this office, the special attention of postmasters is directed to CHAPTER 54 OF THIS BOOK.

#### AUDITOR OF THE TREASURY FOR THE POST OFFICE DEPARTMENT.

##### *Auditor's Office.*

SEC. 6. To this office—which is not a bureau of the Post Office Department, but an office of the Treasury Department, established for the adjustment and preservation of the accounts of the former—are assigned the duties of examining the returns of postmasters, and of notifying them of errors found therein; of adjusting their general accounts; of designating the post offices from which contractors shall make collections, and of furnishing them the blank orders and receipts necessary for that purpose; of

transmitting to postmasters at the ends of routes forms for certifying the performance of mail service, and upon receipt of said certificates, together with the acknowledgments of collections, and of certificates from the Inspection Office of the performance of service, of adjusting their quarterly compensation, and of transmitting to them the drafts issued in payment of the balances found due; of adjusting the accounts for all blanks furnished to post offices, for advertising, mail bags, mail locks and keys, stamps, special agents, and all other demands properly arising under the laws, contracts, regulations or orders of the Department; of closing the accounts of the Department quarterly, and of reporting the amounts paid by postmasters pursuant to appropriations made by law, and of registering, charging, and countersigning all warrants upon the Treasury for receipts and payments when warranted by law, as well as all drafts issued in payment or collection of debts.

SEC. 7. To the Auditor are also assigned the duties of reporting all delinquencies on the part of postmasters in paying over the moneys in their hands; of directing suits, and superintending all proceedings at law or in equity proper for enforcing the prompt collection of all balances due the Department, including penalties imposed on postmasters for failing to make returns, or to pay over the proceeds of their offices.

SEC. 8. To this office should be transmitted all accounts, (other than postmasters' quarterly returns,) all letters and vouchers relating to accounts or items in such returns, and the receipts of postmasters for public property turned over to them by their predecessors; all acknowledgments of drafts issued in payment of balances; all certificates of service, receipts of contractors for, and their acknowledgments of the collections from postmasters; all letters admitting or contesting balances due on the general accounts of postmasters or contractors; all receipts for drafts issued in collecting such balances; and all letters returning such drafts, or reporting the non-payment thereof; all returns of District Attorneys and Marshals of their proceedings in post office cases; all receipts for deposits of money collected in such cases; all letters making propositions of settlement; and all letters seeking directions, or giving information preparatory to trial, or relating to the service of executions or sale of property, &c., in any such cases.

#### TREASURER OF THE UNITED STATES.

*Office of the Treasurer of the United States for the service of the Post Office Department.*

SEC. 9. The revenues of the Post Office Department and all debts

due to the same, are, when collected, payable under the direction of the Postmaster General, into the Treasury of the United States.

Such payments are made by depositing with the Treasurer of the United States at Washington, the treasurer of the mint at Philadelphia; the treasurer of the branch mint at New Orleans; the Assistant treasurers at Boston, New York, Charleston, S. C., and St. Louis, Mo., or with certain postmasters that have been designated as depositaries.

For every deposit made with any of the said officers, duplicate certificates, (reciting that it is for the service of the Post Office Department,) must be taken and one of the said duplicates forthwith transmitted to the Third Assistant Postmaster General.

## CHAPTER 2.

### *Post Roads.*

SEC. 10. Post roads are—

1. Those roads of the country which are declared post roads by various acts of Congress.

2. All waters on which steamboats regularly pass from port to port.—*Act March 3, 1823.*

3. The navigable canals of the several States for the time during which the mail may be carried thereon.—42d sec. act 2d July, 1836.

4. All railroads in the United States.

5. Those roads on which the Postmaster General causes the mail to be carried from the nearest post offices on legally declared post roads, to court-houses not otherwise provided with the mail.

6. All roads to special offices.—*Act March 3, 1825, Sec. 4.*

7. And such as are established by the Postmaster General as Post routes under the 10th section of the act of March 3d, 1851, in cities and towns where the postmasters are appointed by the President of the United States.

## CHAPTER 3.

### *Contractors.*

SEC. 11. The Union is divided into four contract sections; a letting for one of these sections occurs every year, and contracts are made at such lettings for four consecutive years, commencing on the first day of July

The sections and their current contract terms are—

1. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, and New York—current term to end 30th June, 1853.

2. New Jersey, Pennsylvania, Delaware, Maryland, and Ohio—current term to end 30th June, 1852.

3. Virginia, North Carolina, South Carolina, Georgia, and Florida—current term to end 30th June, 1855.

4. Michigan, Indiana, Illinois, Wisconsin, Iowa, Missouri, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Texas, California, Minnesota, Oregon, New Mexico, and Utah—current term to end 30th June, 1854.

SEC. 12. Each contractor will execute with sureties, contracts in duplicate, both to be returned to the Contract Office. One of these duplicates will be preserved in the Contract Office, and one reported to the Auditor. A copy will be furnished to the contractor by the Contract Office.

SEC. 13. If a post office depend for its supply of the mail upon the postages it collects, and the net proceeds thereof fall short of the amount which the contractor or carrier may be authorized to receive, he will have no claim on the Department for the deficiency. If, however, the proceeds of the office supplied, for a portion of the term of a special contract, fall short of the sum allowable to the contractor, and during another portion of that term exceed it, the excess, or so much thereof as may be necessary for that purpose, is to be applied to the payment of the deficiency.

SEC. 14. During the existence of a contract for supplying an office, the postmaster can only pay according to instructions, or in conformity with the contract, and he must forward to the Auditor the receipt of the contractor for each payment, immediately upon the close of the quarter.

SEC. 15. When any contractor fails to commence or abandons the service stipulated in his contract, it becomes the duty of the postmasters at the ends of the route to report the fact to the Contract Office, and to furnish the name of the person who will enter into contract at the lowest price, for the residue of the term.

SEC. 16. After the expiration of a contract, and until the Postmaster General has decided upon a new contract, or upon the expediency of discontinuing the office, postmasters cannot make any payment unless expressly authorized to do so by the Postmaster General.

SEC. 17. Contractors are required, in all cases, to carry the entire mail, and are not permitted to leave bags of newspapers and



pamphlets on their routes ; they must give due attention to the preservation of mail bags, and must not allow them to be dragged about upon the pavement, or otherwise injured.

SEC. 18. The Postmaster General may annul a contract for failures on the part of the contractor ; for violating the Post Office laws ; for disobeying the instructions of the Department ; for refusing to discharge a carrier when required by the Department, or for assigning the contract without the consent of the Postmaster General.

SEC. 19. The Postmaster General is prohibited by law from knowingly making a contract for the transportation of the mail with any person who shall have entered into any combination, or proposed to enter into any combination, to prevent the making of any bid for a mail contract by any other person or persons, or who shall have made any agreement, or shall have given or performed, or promised to give or perform, any consideration to do, or not to do, anything whatever, in order to induce any other person or persons not to bid for a mail contract.

## CHAPTER 4.

### *Proposals for carrying the Mail.*

SEC. 20. A bid received after the time designated in the advertisement, or without the guaranty required by law, or that combines several routes in one sum of compensation, cannot be considered in competition with a regular proposal not adjudged to be extravagant.

SEC. 21. A bidder may offer, where the transportation called for in the advertisement is difficult or impracticable at certain seasons, to substitute an inferior mode of conveyance, or to intermit service a specified number of days, weeks, or months. He may propose to omit an office that is inaccessible, or is not on the stage road, the railway, or at a steamboat landing, as the case may be ; or he may offer to substitute an inferior mode of supply in such cases. He may propose different days and hours of departure and arrival, provided no more running time is asked, and it is obvious that no mail connection or other public accommodation is prejudiced. He may ask for more running time to the trip, during a specified number of days, at certain seasons of peculiarly bad roads ; but beyond these changes, a proposal for service different from the advertisement will prevent its being considered in competition with a regular bid not set aside for extravagance ; and where a bid contains any of the above alterations, their disadvantages will be estimated in comparing it with other proposals.

SEC. 22. There should be but one route bid for in a proposal.

SEC. 23. The route, the service, the yearly pay, the bidder's name and residence, and the name of each member of the firm, where a company offers, should be distinctly stated; also the mode of conveyance, if a higher mode than on horseback is intended.

SEC. 24. The bid should be sent enclosed under seal, and addressed to the First Assistant Postmaster General, with the words "Mail proposals in the State of ———," written on the letter; and should be despatched in time to be received by or before the time specified in the advertisement.

SEC. 25. Under the act of 3d March, 1845, the route is to be let to the lowest bidder tendering sufficient guaranties for faithful performance, without other reference to the mode of transportation than may be necessary to provide for the due celerity, certainty, and security of such transportation. When the lowest bid proposes a mode of conveyance that is inadequate for the route, in respect to the certainty, security, and celerity of the mails, aside from any accommodation for travel, it will not be entitled to the route.

SEC. 26. When the bid does not name a mode of conveyance, it will be taken and understood to be for the lowest mode of conveyance, to wit: on horseback. When it proposes to carry according to the advertisement, and no mode of conveyance is stated for the route in the advertisement, it will be considered as offering only for horseback conveyance.

SEC. 27. Since the passage of the act of March 3, 1845, a new description of bid has been received. It specifies no mode of conveyance, but engages to carry the mail with certainty, celerity, and security, using the terms of the law. These bids are called, from the manner in which they are designated on the books of the Department, "*Star bids*." A bid proposing a specific mode of conveyance of as high a grade as two-horse coach transportation at the same, or a slightly increased, rate of compensation, is to be preferred to a star bid, unless the size of the mail requires a grade of transportation higher than that proposed in the specific bid. When the mail on the route is not so large as to require two-horse coach conveyance, a star bid, if the lowest, will be preferred to the specific bid.

SEC. 28. A modification of a bid, in any of its essential terms, is tantamount to a new bid, and cannot be received, so as to interfere with regular competition, after the last hour set for receiving bids.

SEC. 29. Postmasters should not certify the sufficiency of guarantors or sureties without knowing that they are persons of sufficient responsibility to meet the liability assumed.

## CHAPTER 5.

*Appointment of Postmasters.*

SEC. 30. At all post offices where the compensation of the postmaster exceeded one thousand dollars for the fiscal year ending June 30, 1825, or for any subsequent fiscal year, a deputy postmaster is to be appointed by the President by and with the advice and consent of the Senate, and can be removed by the President only.—*33d sec. act of 2d July, 1836.* At all other offices, the Postmaster General has the sole power of appointment and removal.—*1st sec. act 3d March, 1825.*

SEC. 31. Upon the appointment of a postmaster, he is furnished with a letter of appointment and a blank bond. Upon executing the bond, as required, taking the oath of office, enclosing them in a letter directed to the Appointment Office and depositing such letter in the post office, and not before, he is authorized to take charge of the office.

SEC. 32. No person can be appointed postmaster who cannot legally execute an official bond.—*3d sec. act 3d March, 1825.*

SEC. 33. No person can hold the office of postmaster, who is not an actual resident of the city or town wherein the post office is situated, or within the delivery of the office.—*Sec. 36 of act of 1836.*

## CHAPTER 6.

*Steps to be taken on receiving the Appointment.*

SEC. 34. Every person who receives the appointment of postmaster, must take and subscribe, before a magistrate, the following oaths, viz :

“I, \_\_\_\_\_, do swear, (or affirm, as the case may be,) that I will faithfully perform all the duties required of me, and abstain from everything forbidden by the laws in relation to the establishment of the Post Office and post roads within the United States.”

“I do solemnly swear, (or affirm, as the case may be,) that I will support the Constitution of the United States.”—*Act of 1825, sec. 2.—Constitution of the United States, art. 6.*

SEC. 35. These oaths should be certified by the magistrate who administers them.

SEC. 36. The person appointed will then execute the bond forwarded to him by the Department. It must be signed in the presence of suitable witnesses, by himself and at least two sureties,

the sufficiency of each of whom, for the payment of the sum inserted in the bond, must be shown by the certificate of the magistrate who administers the oath.—*Act of 1825, sec. 3.*

SEC. 37. The oath and bond are then to be placed in the mail, and transmitted to the Appointment Office, and when received a commission will be issued.

SEC. 38. In case of the death, removal from the State, insolvency or any other disability of one or both of the sureties, the postmaster will report the fact to the Department, in order that a new bond may be executed.

## CHAPTER 7.

### *Charge of the Office.*

SEC. 39. The office of postmaster is one of much trust and responsibility, and the appointment proceeds from a confidence reposed in him personally by the appointing power. For this reason he cannot be permitted to transfer the charge of his office, and the performance of its duties to another; thus creating a sinecure, and virtually substituting in his stead as postmaster, a person unknown to the Department.

SEC. 40. The duties of his office must be performed only by himself, personally, or by a sworn assistant or assistants, whom he may employ to aid him, when necessary; for the care and attention of every one of whom he will be responsible to the Department.

SEC. 41. Every assistant, before he is permitted to have any agency in the business of the office, must take and subscribe the oaths set forth in the preceding chapter, which must be certified by a magistrate, and forwarded to the Appointment Office.—*Act of 1825, sec. 2.*

SEC. 42. On taking charge of a post office, the postmaster will make in duplicate four several inventories of the public property belonging to it as follows:

1. Of all laws, regulations, list of post offices, circulars, orders, &c.
2. Of all locks, keys, and mail bags.
3. Of all letters, packets, newspapers, pamphlets, and other mail matter, stating the amount of unpaid postages thereon; and
4. Of all desks, cases, and other furniture or fixtures, books, maps, blanks, and stationery allowed or furnished by the Department.

SEC. 43. He will deliver one of each of these duplicates with

his receipt thereon to his predecessor. The other he will transmit—No. 1 to the Appointment Office—No. 2 to the Inspection Office, and Nos. 3 and 4 to the Auditor's Office.

SEC. 44. Precaution should be taken by the postmaster in all cases to appoint an assistant, to prevent the office from being left without a duly qualified person to perform its duties, in case of the necessary absence, the sickness, resignation, or death of the postmaster.

SEC. 45. The postmaster will cause his clerks, and also the letter carriers of his office, to take the necessary oaths of office, and will send them for file to the Appointment Office, before they enter upon their duties. The agents of the Department will promptly report all instances of non-compliance with this regulation to the Appointment or Inspection Office as the case may be.

SEC. 46. Postmasters, assistants, and clerks, regularly employed and engaged in post offices, and also post riders and drivers of mail stages, are by law exempt from militia duty and serving on juries, and from any fine or penalty for neglect thereof.—*Act of 1825, sec. 35 ; Act of 1836, sec. 34.*

SEC. 47. A postmaster will suffer no person whatever, except his duly sworn assistants, or clerks and letter carriers, who may also have been sworn, to have access to the letters, newspapers, and packets in his office, or whatever constitutes a part of the mail, or to the mail locks or keys.

SEC. 48. Mails should not be opened or made up by the postmaster or his assistant within the reach of persons not authorized to handle them; the postmaster will therefore while discharging these duties, if a room be appropriated to the use of his office, exclude from it all persons except his assistants regularly employed and sworn.

SEC. 49. For the safe keeping of letters and packets at post offices, where the business is not so extensive as to require the appropriation of a room to that use, a cheap, plain desk, or case, is to be provided at the expense of the Department, with a good lock and key. But neither this nor any other contingent expense will be allowed, unless the net proceeds of the office amount to at least \$5 per quarter.

SEC. 50. The postmaster will keep his office open for the despatch of business, every day, except Sunday, during the usual hours of business in the place; and attend at such other hours as may be necessary to receive and despatch mails.—*Act of 1825, sec. 11.*

SEC. 51. When the mail arrives on Sunday, he will keep his

office open for one hour or more, if the public convenience require it, after the arrival and assortment thereof, unless it be during the time of public worship ; in which case he will keep the office open for one hour or more, if necessary, after the religious services have ceased.

SEC. 52. It is expected that a disposition to accommodate will prompt him to search for and deliver a letter, on the application of a person who cannot call during the usual office hours.

SEC. 53. The postmaster having voluntarily assumed the responsibilities of office, he is not at liberty to abandon them, either by closing his office, or by transferring its management and funds to an irresponsible person. Upon receiving notice, at any time, of his wish to retire, the Department will take measures to select and appoint a suitable successor. But until a successor is appointed, and has been qualified by giving bond, he will continue in charge of the office, either personally or by an assistant.

SEC. 54. A postmaster is responsible for the discharge, by himself or his sworn assistant, of all the duties of the office, until his successor shall have been appointed and qualified—even although the term for which he may have been appointed has expired.

SEC. 55. Whether the appointment be from the President or the Postmaster General, in the event of death, the responsibility of the sureties will continue, for the fidelity of the person left in charge of the office, until a successor is appointed and qualified.

SEC. 56. And it may be lawful for the sureties or any one of them to perform the duties of postmaster, by themselves or agent, until their successor be appointed. The person performing such duties should, before entering upon the discharge of them, take the usual oath.

SEC. 57. All instructions, circulars, and orders received by a postmaster, from any branch, or officer of the Department, are to be filed in the office, and turned over to his successor. In like manner he will turn over to his successor, or in the event of the discontinuance of the office, deliver to the nearest postmaster, as *public property*, all desks, cases, and other furniture or fixtures, and all books, maps, blanks, stationery, and other articles, which have either been furnished to him as postmaster, or have been charged and allowed at any time, whether as contingent expenses in the quarterly account, or as items in the commission, emolument, or other account, and which may remain on hand when the vacancy or discontinuance occurs.

SEC. 58. If, from any cause, a post office ceases to receive and deliver mails, the nearest postmaster on the same route will report

the fact to the Department, and open the mails addressed to such office, deliver the letters and papers to the persons entitled to them, and account for the postage, in the returns of his own office.

SEC. 59. When the Postmaster General shall change the name of an existing post office, the order will not take effect until the postmaster shall have executed new bonds and returned them to the Appointment Office. When the bond shall have been thus executed and returned, the name designated by the Postmaster General will be used from and after the first day of the next succeeding quarter. But no postmaster can change the name of his office without the order of the Department; and he is expected to be particular in seeing none other substituted. He must not remove the site of the office from the usual post road, or make any material change in such site without the consent of the Department.

SEC. 60. In all communications to the Department, (as well as in his correspondence,) every postmaster should embrace in the date, the name of his post office, county, (district or parish,) and State.

#### *What may be admitted into the Mail.*

SEC. 61. The mails were established for the transmission of intelligence; the articles, therefore, proper to be sent in them are letters, newspapers, pamphlets, and other printed matter, including parcels and bound books not weighing over thirty-two ounces.

SEC. 62. Packets of every description, weighing more than three pounds are to be excluded, except public documents, printed by order of either House of Congress, or such publication or books as have been or may be published, procured or purchased, by order of either House of Congress, or joint resolution of the two Houses, and legally franked.

### CHAPTER 8.

#### *How the Mails should be made up.*

SEC. 63. Letters received to be sent by mail, should be carefully marked with the name of the post office at which they are received, and the abbreviated name of the State or Territory, the day of the month on which they are forwarded in the mail, and the rate of postage chargeable on them; or if they be free, with the word *Free*. The name, date, and *Free*, may be either written or stamped.

SEC. 64. At offices where there is much business, the work of

rating and marking should be performed as fast as the letters are received, and not left until the time of closing the mail, when in the hurry of business many errors might be committed.

SEC. 65. Letters, however, must bear post-mark, and post bills must bear the date on which the mail containing them is actually sent off, although they may have been made up on a previous day.

SEC. 66. Postmasters will carefully assort the letters deposited in their offices for mailing, and will mail them as follows, to wit:

Every postmaster will mail and postbill *direct* to the place addressed, 1st, all letters for his own State or Territory; 2d, all letters, for post offices in other States and Territories, which should not pass through a distributing office on their proper route to the office of delivery; and 3d, all letters on which the instruction "*mail direct*" shall be written.

Letters not required by the foregoing provisions to be mailed direct shall be postbilled and mailed to the distributing office through which they should *first* pass on the proper route to the place of their destination—*unless the mailing office be a distributing office.*

All letters received at a distributing office for distribution, or deposited therein for mailing, and which are addressed to any other distributing office, or to places within the State or Territory where such distributing office is situated, or to places not more than one hundred miles distant from such distributing office, or which would not pass through a distributing office on the proper route to the office of delivery, *shall be mailed direct*; but if the office of delivery is *more* than one hundred miles from such distributing office, and the letters should properly pass through one or more distributing offices, they shall be mailed and postbilled to the *last* distributing office through which they are to pass on their route to the office of delivery. (Instructions as to the mailing of letters of which special accounts are required will be addressed to, and affect only, the distributing offices.)

SEC. 67. Each package containing letters mailed and postbilled *direct* should be plainly directed on the outside with the name of the office to which it is to be sent, and of the county and State in which such office is situated.

SEC. 68. Packages containing letters for distribution should be plainly directed in the same manner, with the addition of the letters "D. P. O." (for distributing post office) after the name of the office.

SEC. 69. Every postmaster, special agent, or other officer of the



Department, will report to the Postmaster General each case which may come to his knowledge in which any postmaster shall have so mailed letters as to subject them to more distributions than are authorized by the foregoing instructions.

SEC. 70. The number of letters and amount of postage are to be entered under the proper heads in the post bill, to be sent with them. The names of the offices from and to which they are sent should appear in their proper places at the top of the bill, which must be plainly dated and signed by the postmaster.

SEC. 71. The post bill being completed, its contents are to be entered in the *Account of mails sent*, stating the name of the office and State to which the mail is sent, (and if sent to a distributing office for distribution, the letters D. P. O. must be added after the name of the office.) Letters for distribution, and letters for delivery, should be made up in separate packets, and each be accompanied by a post bill.

SEC. 72. The letters are to be made up into bundles, and the post bill with them, wrapped in paper of proper strength, and tied with twine. If there are more letters for one office than can be conveniently put into one bundle, they should be made up into two or more bundles, and numbered; the post bill being put into the package having the highest number, and the letters P. B. should be added to the number of the package containing the post bill. When there are more than one package included in the same post bill, the postmaster in entering the same in his account of mails sent, will put at the end of the name of the office to which the packages are sent, the number of packages included in the entry.

SEC. 73. The mails for all the offices to which there are any letters addressed, being in this manner complete, they are to be put into the bag or bags destined to receive them, which must be locked and delivered to the carrier.

SEC. 74. Post bills, as to year, month, and day of the month, should always be *fully* and *plainly* written, and the date should, in all cases, correspond with the day on which they are *actually sent*, without regard to the day on which they may happen to have been made up.

SEC. 75. Way offices on railroads will be supplied by exchanging of pouches as the cars pass, without waiting for time to change the mail, and postmasters at such offices should have the mails ready when the cars arrive.

## CHAPTER 9.

*Receiving and Dispatching mails.*

SEC. 76. A postmaster will always be in readiness, in person, or by his assistants, to receive the mail when it arrives, and dispatch it with all possible expedition.

SEC. 77. If no special order upon the subject has been made in regard to his office, he is allowed seven minutes only to change the mail.

SEC. 78. If the mail be carried in a stage, coach, or sulky, it will be the duty of the driver to deliver it as near the door of the post office as he can come with his vehicle, but not to leave his horses, and he should not be permitted to throw the mail on the ground.

SEC. 79. The postmaster will never detain a mail beyond the time fixed for its departure, except in pursuance of special instructions received from the Department.

SEC. 80. When the mail is to remain but a few minutes at his office, his mail should be made up and ready to be put into the mail-bag before the time when it usually arrives.

SEC. 81. He will stop all packets which he finds going in the wrong, and put them in the right direction.

SEC. 82. In case of a failure of the mail, he will forward all the packets by the next trip.

SEC. 83. It is inadmissible to send letters in a canvas bag without a lock, unless they are enclosed in a locked bag.

SEC. 84. Never deliver the mail bag to the carrier without being certain that it is locked.

## CHAPTER 10.

*Opening the mail.*

SEC. 85. Upon the arrival of the mail at any post office, the packets addressed to that office, *and none other*, should be opened, and the postmaster will find with each one a bill of the contents, called a *post bill*. Compare this bill with the contents, and if they do not agree, note upon the bill the amount of the difference, and whether *undercharged* or *overcharged*.

SEC. 86. Every postmaster will then look over the letters thus received, to see if the postages be properly charged or marked on them, and correct the rates on the letters, where he finds mistakes, noting the amount corrected on the bill, as *under* or *overcharged*.

SEC. 87. If a postmaster finds any letters that are not for his delivery, and are missent to his office, he will put them in the proper place to be forwarded, noting on the bill the amount forwarded, and writing on the letters the words "*missent and forwarded,*" *with the date.* They should be forwarded by the first mail.

SEC. 88. These examinations having been made, the postmaster is ready to deliver the letters, newspapers, &c.

SEC. 89. Upon making up the mail, it is the duty of every postmaster, when he knows that any letter has been illegally franked, or that the frank on any letter is forged, to erase such frank, and charge the letter with the legal postage; and the postmaster at the office of delivery of any letter which he knows has been illegally franked, or on which the frank has been forged, is directed to charge such letter with the legal postage. In all such cases, the postmaster will immediately report to the Department the name of the person whose frank has been so erased, and the reasons therefor, and all the facts in regard thereto. If, upon an exhibition of any letter franked and rated with postage, upon which postage has been charged and collected, it shall appear that the same was a letter rightfully and legally franked by the person who wrote it, or if written by another at the request of him who franks it, upon the business of the office of the person franking, the postage will be refunded, and the proper entries made.

SEC. 90. Having carefully examined the post bills, and found them right, or discovered and corrected their errors, as well in casting up, as in the particulars above mentioned, every postmaster will enter their contents in the *Account of mails received*, stating the name of the office (and State, if out of his own,) from which each bill came.

SEC. 91. Every postmaster will enter the amount of unpaid letters, as it is charged in the bill, whether the charge be correct or erroneous. If erroneous, it falls either under the denomination of *undercharged* or *overcharged*, and by an entry of the sum, *under* or *overcharged*, in the proper column, that error is balanced.

SEC. 92. All letters received by mail are to be entered in the *Account of mails received*, though no post bill accompany them, noting on the account the fact that no post bill was received.

SEC. 93. Letters received by mail regularly marked paid by the postmaster, or having on them an adequate prepaid stamp, are to be delivered as paid, though they be entered in the bill as unpaid. In such case the postmaster will make the proper correction on the post bill; inform the postmaster who mailed the letter of the mis-

take, and request him to make the necessary correction in his *Account of mails sent*. In all cases where similar mistakes are discovered, postmasters will report the fact to the Auditor.

SEC. 94. When a postmaster opens the mail bag, he should be careful to leave no packets of letters or newspapers addressed to his office in it; and, if his office be at a connecting point of the mails, from which other mails branch, he will carefully examine the packets in the bag, take out all such as are addressed to offices supplied by the branching mails, and give them their proper direction by the earliest conveyance. When this is neglected, it is expected that the *first* postmaster who discovers the neglect will return the missent packets, and promptly report the fact to the Department.

## CHAPTER 11.

### *Time allowed for opening the mail.*

SEC. 95. Seven minutes are allowed for opening and closing the mails at all offices where no particular time is specified; but on railroad and steamboat routes, there is to be no more delay than is necessary to deliver and receive the bags.

## CHAPTER 12.

### *Mails for distribution, in what manner to be made up.*

SEC. 96. Distributing offices are established to insure certainty and regularity in the transmission of letters and packets between remote points; and to this end, besides the usual business of a post office, certain peculiar duties are performed therein.

SEC. 97. All post bills sent from distributing offices are to be filled according to the directions in chapter 8, with the contents of each parcel, and addressed either to the particular office to which the letters are destined, or to the proper distributing office as such. These post bills are then to be dated, and entered in the *Account of mails sent from the distributing office*.

SEC. 98. A postmaster at a distributing office will not open and distribute a mail which is addressed to another office.

SEC. 99. If letters be sent by any postmaster to a distributing office, when they should have been mailed direct to the offices to which they are addressed, the postmaster at such distributing office will request the postmaster so sending to correct his practice; and if continued, report him, for such violation of instructions, to the appointment office.

**SEC. 100.** All letters and packets received for distribution, are to be distributed and remailed before the departure of the next mail, if practicable.

## CHAPTER 13.

*Time allowed for closing mails at Distributing Offices.*

**SEC. 101.** The great mails are to be closed at all distributing offices not more than one hour before the time fixed for their departure; and all other mails at those offices, and all mails at all other offices, not more than half an hour before that time, unless the departure is between 9 o'clock, P. M., and 5, A. M., in which case the mail is to be closed at 9, P. M.—*Act of 1825, sec. 11.*

## CHAPTER 14.

### POSTAGE ON LETTERS.

**SEC. 102.** *Rates of Letter Postage between offices in the United States, and to and from Canada and the other British North American Provinces.*

DIRECTIONS.	WHEN PREPAID.					WHEN UNPAID.				
	Weighing $\frac{1}{2}$ ounce or under, being the single rate. Over $\frac{1}{2}$ ounce, and not over 1 ounce. Over 1 ounce, and not over $1\frac{1}{2}$ ounces. Over $1\frac{1}{2}$ ounces, and not over 2 ounces. Over 2 ounces, and not over $2\frac{1}{2}$ ounces.					Weighing $\frac{1}{2}$ ounce or under, being the single rate. Over $\frac{1}{2}$ ounce, and not over 1 ounce. Over 1 ounce, and not over $1\frac{1}{2}$ ounces. Over $1\frac{1}{2}$ ounces, and not over 2 ounces. Over 2 ounces, and not over $2\frac{1}{2}$ ounces.				
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
For every single letter in manuscript, or paper of any kind upon which information shall be asked or communicated in writing, or by marks or signs, sent by mail, the rates mentioned in this table shall be charged; and for every additional half ounce or fraction of an ounce above the weight named in this table, an additional single rate is to be charged.										
For any distance not over 3,000 miles.....	3	6	9	12	15	5	10	15	20	25
For any distance over 3,000 miles	6	12	18	24	30	10	20	30	40	50
To and from British North American Provinces, for any distance not over 3,000 miles.....	10	20	30	40	50	10	20	30	40	50
For any distance over 3,000 miles from the line.....	15	30	45	60	75	15	30	45	60	75

**NOTE.**—Under the provisions of the act of 3d March, the mode of computing the rates upon inland letters—i. e., letters from one office within the United States or Territories to another, and also upon letters between the United States and the British North American provinces, is as follows, to wit: Single rate, if not exceeding half an ounce; double rate, if exceeding half an ounce, but not exceeding an ounce; treble rate, if exceeding an ounce, but not exceeding an ounce and a half; and so on, charging an additional rate for every additional half ounce or fraction of half an ounce.

The mode of computing rates upon letters to Great Britain, and to all other foreign countries, the British North American provinces excepted, will remain as at present, under the act of 3d March, 1849, and agreeably to instructions appended to the table of foreign postages.

The 10 or 15 cents (according to the distance) pays for the single letter from any post office in the United States, to any post office in either of the British North American provinces; and *vice versa*; pre-payment is optional in either country, but a pre-payment of any thing less than the full rate is not to be regarded.

The six-pence (6d.) and shilling marks of prepayment in the British North American provinces will be recognized.

**DIRECTIONS.**—1st. *Every letter or parcel, not exceeding half an ounce in weight, shall be deemed a single letter or rate.* 2d. *All drop-letters, or letters placed in any post office, not for transmission, but for delivery only, shall be charged with postage at the rate of one cent each.*

**SEC. 103.** The distance according to which postage is chargeable, is that on the post road from one office to another, upon which the mail is conveyed.

**SEC. 104.** Letters should in all cases be sent by the most expeditious routes, unless otherwise ordered by the person sending the same.

**SEC. 105.** It is a penal offence to deposite in any post office to be conveyed in the mail, within the United States, any envelope or packet containing letters addressed to different persons. *13th section of the act of 1847.*

## CHAPTER 15.

### *Postage on Ship and Steamboat letters.*

**SEC. 106.** All ship letters and packets are to be charged with a postage of six cents each, when delivered from the office at which

they are first received ; when forwarded in the mail to other offices, with two cents, in addition to the ordinary rates of postage. They should all be marked "*Ship*," at the time of receiving them. This applies to all letters and packets brought by vessels from foreign countries, as well as those conveyed from one port to another in the United States over routes not declared post roads.

SEC. 107. Masters of foreign packets are not to be paid anything for letters delivered into the office ; such letters are, notwithstanding, to be charged with postage, when delivered from the office, or forwarded by mail.

SEC. 108. The above rates of postage are not to be increased on letters and packets, carried in a private ship or vessel, from one port in the United States to another, though a *part* of the voyage be over a water declared to be a post road. Thus, the Mississippi river, from New Orleans to the mouth, is a post road ; yet letters carried by ship between New Orleans and any other port in the United States, are subject to the usual ship letter postage. But if the *whole* of the water between any two ports, be a post road by law, then inland postage will be charged.

SEC. 109. Letters and packets that are carried on any of the waters of the United States, in vessels, under an arrangement with the Department, are subject to the same postage as if carried in the mail overland.

SEC. 110. Upon letters and packets received from the masters of steamboats, on waters deemed post roads, the persons addressed will be charged, when delivered to them, the same postage as if the letters and packets had been conveyed in the mail overland.

SEC. 111. If a letter be received as above, to be sent in the mail to another office, there will be charged the proper rate of postage for the distance between the place at which the letter was placed on board the boat, and the office to which it is addressed. Letters brought by steamboats should be marked "*Steamboat*," at the time of receiving them.

SEC. 112. For every letter received by a postmaster at a sea port, to be conveyed to a foreign country, by transient vessels from such port, there shall be paid to the postmaster one cent.—*Act of 1825, sec. 34.*

SEC. 113. The master (except of a foreign or mail packet) is to be paid two cents for each letter and packet delivered by him, except at ports on Lake Erie, where one cent is to be paid to the master, and except where special contracts are made.

SEC. 114. If the letters be delivered into the post office by a passenger or sailor, and not in behalf of the master, nothing is to

be paid for them; they are, nevertheless, to be charged with ship letter postage, and the number entered in the account of ship letters, with the name of the vessel in which they were brought.

SEC. 115. For every letter or packet, which has not passed through a post office, delivered by the master of a steamboat, every postmaster will pay him two cents, or one cent if on Lake Erie, unless his boat carries letters and packets under a contract with the Department. He will take the receipt of the master, specifying the number of letters, and the places from which they were brought.

SEC. 116. The account of steamboat letters received, with the sums paid for them, and the postage on such as are to be delivered from the office, is to be kept in the account of *ship and steamboat letters received*, and as the account of ship letters.

## CHAPTER 16.

### *Postage on Way Letters.*

SEC. 117. Way letters are such letters as a mail carrier receives on his way between two post offices. The carrier will deliver them to the first post office at which he arrives. The postmaster will rate them with postage, writing against the rate, the word "*way*."—*Act of 1825, sec. 20.*

SEC. 118. If such way letters are within the delivery of the office, the amount of their postage is to be noted on one of the bills received by the same post, and when the bills in the *account of mails received* are entered, such amount of postage in the column headed *way letter*, is to be entered also.

SEC. 119. If any of these way letters are not to be delivered by the postmaster, their postage is not to be entered in that column, but the letters are to be included in the post bill with the other letters for the office to which they are addressed.

SEC. 120. The postmaster will pay the mail carrier one cent if demanded for each way letter which he delivers to him, and add that cent to the ordinary postage on the letter.



## CHAPTER 17.

## POSTAGE ON NEWSPAPERS AND OTHER PRINTED MATTER.

SEC. 121. *Newspaper rates, per quarter, when sent from the office of publication, to actual and bona fide subscribers.*

For each newspaper, not exceeding three ounces in weight, the annexed rates per quarter are to be paid quarterly in advance at the office where they are delivered to the subscribers. These rates apply only where the paper is sent from the office of publication to actual and bona fide subscribers.	Daily.	Tri-weekly.	Semi-weekly.	Weekly.	Semi-monthly.	Monthly.
	Cents.	Cents.	Cents.	Cents.	Cents.	Cents.
For any distance not exceeding 50 miles	25	15	10	5	2½	1½
Over 50 and not exceeding 300 miles...	50	30	20	10	5	2½
Over 300 and not exceeding 1,000 miles	75	45	30	15	7½	3½
Over 1,000 and not exceeding 2,000 miles	100	60	40	20	10	5
Over 2,000 and not exceeding 4,000 miles	125	75	50	25	12½	6½
Over 4,000 miles.....	150	90	60	30	15	7½

*Directions.*

*Weekly papers only*, when sent as above stated, are to be delivered free from post offices situated in the county where they are published; and this, although conveyed in the mail over 50 miles. But they are not to be delivered free from offices out of the county of their publication to subscribers residing in the county where they are published.

SEC. 122. Under the provisions of the 2d section of the act of 1851 *no newspapers other than those published weekly ONLY* are entitled to circulate free of postage in the counties where published. The office of publication is the office where the newspaper is printed, and there can be no other office of publication in another county for the purpose of securing an additional free circulation. Postmasters are not bound to receive from the publishers weekly newspapers published in the city, town or village where the post office is kept, and deliver them to subscribers calling at their office for them. The right to "circulate in the mail within the county where published" does not impose on postmasters the duty of receiving and delivering papers which do not go into the mail; and where a publisher seeks to throw upon the postmaster the labor of delivering his papers for the purpose of relieving him from the expense of their delivery, the postmaster will be justified in refusing to deliver

them. He should, in such cases, inform the publishers of his determination not to receive such papers.

If a postmaster receives and delivers such papers for the convenience of the publishers or subscriber, he cannot charge any postage thereon; and the Department desires that postmasters should act with courtesy in this respect, and deliver such few papers as may be sent to their offices for the convenience of the subscriber; but they are not expected to receive them when the number is such as to indicate that it is the intention to throw upon the postmaster a labor which the publisher should perform.

SEC. 123. In determining newspaper postages, the distances are to be computed from the office of publication, and not from the county line of the county in which the paper is published; and the distance is also to be computed over the route on which it is carried. This postage is chargeable by the newspaper, not by the sheet. Hence, if two or more newspapers be printed on one sheet, full postage must be charged on each.

SEC. 124. Newspapers containing not over 300 square inches are to be charged one-quarter of the foregoing rates.

SEC. 125. The weight of newspapers must be taken or determined when they are in a dry state.

SEC. 126. Postmasters are not entitled to receive newspapers free of postage under their franking privilege.

SEC. 127. *Newspapers published weekly only in a county adjoining the Canada line* may be sent free to *Canada*, provided they do not leave the county of publication until they cross the line into *Canada*.

SEC. 128. When such papers are sent out of the county where published, to be delivered from a post office in an adjoining county in the United States, no matter how short the distance, full postage must be charged.

SEC. 129. Newspaper publishers may send and receive their exchange newspapers to and from *Canada*, free of charge.

SEC. 130. *Publishers of newspapers*, pamphlets, periodicals, and magazines, under the provisions of the second section of the act of 3d March, 1851, may interchange their publications reciprocally free of postage, provided such publications do not exceed sixteen ounces in weight. Such interchange must be confined to a single copy of each publication; but it is not limited to an exchange of newspaper for newspaper and periodical for periodical; but publishers of newspapers have the right to exchange with publishers of periodicals under the late act of Congress. Such publishers may also enclose in their publications the bills for subscriptions thereto without

any additional charge for postage; and this privilege extends also to the transmission of a receipted bill after the same has been paid.

SEC. 131. A newspaper is not a periodical within the meaning and intent of the provision which requires the postage on periodicals to be paid in advance, and declares that the postage thereon shall be one-half of the rates previously specified in the second section of the act; but all subscribers to newspapers were and still are required by the provisions of the thirtieth section of the act of March, 1825, to pay one quarter's postage in advance; by so doing, however, they are not entitled to have the postage reduced below the established rates.

SEC. 132. The postage on newspapers weighing less than three ounces, "sent from the office of publication to actual and *bona fide* subscribers," is fixed by law by the quarter only, and is required to be paid in advance. Hence, no person can be considered an actual and *bona fide* subscriber to a newspaper, and entitled to pay postage thereon at the quarterly rates, who shall only take a newspaper for a less time than three months. Actual and *bona fide* subscribers to papers for three months or more, who change their residences temporarily, may have their paper sent without pre-payment, but must pay a quarter's postage in advance at the office of delivery, or else pay the unpaid transient rate.

SEC. 133. Publishers cannot send specimen numbers of their papers to postmasters and others (as has been much practiced heretofore under the old law) without pre-paying the postage thereon.

SEC. 134. Publications borrowing the name, having the form and some of the characteristics of a newspaper, printed for gratuitous circulation and depending on their advertisements for support, cannot be sent by mail gratuitously to persons not actual and *bona fide* subscribers upon the footing of newspapers "sent from the office of publication to actual and *bona fide* subscribers;" but must be charged with the transient rates, which must be collected in the mailing office.

SEC. 135. A newspaper is defined to be any printed publication issued in numbers, and published at short stated intervals of not more than a month, conveying intelligence of passing events. It generally consists of a sheet, but may be composed of two sheets of paper. In such case it is chargeable with single newspaper postage only; provided the two sheets in the aggregate do not exceed three ounces in weight, or nineteen hundred square inches in size. If it exceed such weight or size it is to be rated as a pamphlet.

SEC. 136. Contractors, mail carriers, railroad and steamboat lines may carry newspapers out of the mails, for sale or distribution among regular subscribers. But if such newspapers are delivered to the postmaster, to distribute, postage must be charged and collected.

SEC. 137. A newspaper, pamphlet, circular or other printed sheet, if in a wrapper, should be so folded and wrapped that its character can be readily determined; and so that any prohibited writing, marks or signs upon it may easily be detected. If closely enveloped and sealed it is chargeable with letter postage. Reprints of books or magazines in newspaper form are to be rated with pamphlet postage.

SEC. 138. Newspaper extras, which contain chiefly republications of books, tales, essays, and notices not relating to passing events of general interest, are to be rated as pamphlets.

SEC. 139. The United States postage on newspapers, periodicals, and other matter not chargeable with letter postage, when sent out of the United States, must be pre-paid at the full rates—i. e. the usual quarterly rates *to the line* upon such newspapers and the full rates chargeable to subscribers on such periodicals as shall be addressed to regular subscribers, and the transient rates upon all publications not sent to regular subscribers, except where different rates are established as indicated in table of foreign postages.

SEC. 140. Foreign newspapers remailed, or first mailed in this country, must be charged with the rate for transient papers, which must be pre-paid.

SEC. 141. Prospectuses of newspapers whether accompanying the same or sent separately, are to be charged as circulars, and postage required in advance.

**SEC. 142.** *Rates of postage to be charged upon all transient newspapers, and every other description of printed matter, except newspapers and periodicals published at intervals not exceeding three months, and sent from the office of publication to actual and bona fide subscribers.*

	Weighing 1 ounce or under.									
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
<p>NOTE.—For each additional ounce, or fractional part of an ounce, beyond the ten ounces embraced in this table, an additional rate must be charged.</p>										
When sent not over 500 miles..	1	2	3	4	5	6	7	8	9	10
Over 500 and not over 1,500....	2	4	6	8	10	12	14	16	18	20
Over 1,500 and not over 2,500...	3	6	9	12	15	18	21	24	27	30
Over 2,500 and not over 3,500...	4	8	12	16	20	24	28	32	36	40
Over 3,500 miles.....	5	10	15	20	25	30	35	40	45	50

#### *Directions.*

1st. On every transient newspaper, unsealed circular, handbill, engraving, pamphlet, periodical, magazine, book, and every other description of printed matter, the above rates must in all cases be pre-paid, according to the weight. If the amount paid and marked on such printed matter is not sufficient to pay the whole postage due, the excess of weight beyond that paid for is to be charged with double the rate which would have been charged if pre-paid, and the postage on such excess collected at the office of delivery.

2d. Whenever any printed matter on which the postage is required to be pre-paid, shall, through the inattention of postmasters, or otherwise, be sent without pre-payment, the same shall be charged with double the above rates.

3d. Bound books and parcels of printed matter, not weighing over thirty-two ounces, shall be deemed mailable matter.

4th. Periodicals published at intervals, not exceeding three months, and sent from the office of publication to actual and *bona fide* subscribers, are to be charged with one-half the rates mentioned in the last above table, and a quarter's postage thereon must in all cases be paid in advance at the post office where such publi-

cations are to be delivered. Periodicals published at intervals of more than three months are charged with the full rate, which must be pre-paid at the office where they are mailed.

Publishers of periodicals may prepay the postage on their issues, but can have no deduction of postage on account of such prepayment. When a periodical is published only quarterly, the actual and *bona fide subscriber* for such periodical may pay in advance and have the benefit of the advance payment, provided he pays to the postmaster at the office where he is to receive the periodical before its delivery.

*Subscribers to periodicals* to obtain the benefit of the provision in regard to prepayment, must pay the full quarter's postage before the delivery of the first number, when there are several numbers to be delivered during the quarter. If, by reason of any increase in the size of the periodicals, or otherwise, it shall appear that the whole quarter's postage was not so paid in advance, the subscriber will lose the benefit of prepayment, and the numbers received during the whole quarter will be charged with the double or unpaid rate, and the subscriber will be credited with only the amount paid in advance.

SEC. 143. Letter postage is to be charged on all handbills, circulars, or other printed matter which shall contain any manuscript writing whatever.

SEC. 144. *Corrected proof sheets* are to be charged with pamphlet postage in case the corrections be those only of typographical errors; but if new matter be introduced by the corrections, or any notations made by which information is asked or conveyed, or instructions given in writing, the sheets are subject to letter postage.

SEC. 145. Postmasters will charge letter postage on all packets that are closely enveloped and sealed, so that their contents cannot be known.

In case there is on or in any newspaper, periodical, pamphlet, or other printed matter or paper connected therewith, any manuscript of any kind by which information shall be asked for, or communicated in writing, or by marks or signs, the said newspaper, periodical, pamphlet, or other printed matter becomes subject to letter postage; and it is the duty of the postmaster to remove the wrappers and envelopes from all printed matter and pamphlets not charged with letter postage, for the purpose of ascertaining whether there is upon or connected with any such printed matter, or in such package, any matter or thing which would authorize or require the charge of a higher rate of postage

thereon: and when any such are found, he will charge each article composing the package, or contained therein, with letter postage; and if the person to whom the package is addressed shall refuse to pay letter postage thereon, he will immediately enclose the package to the postmaster from whose office it came, and request him to prosecute for the penalty of five dollars, imposed by law upon the person who placed it in the office.—*Act of 1825, section 30, and act of March 3, 1851, section 2.*

## CHAPTER 18.

## POSTAGE TO FOREIGN COUNTRIES.

SEC. 146. *Table of postages to Foreign Countries, showing the rates to be charged upon Letters and Newspapers between any point in the United States and Foreign Countries.*

When directed to any of the countries, cities, or towns below named,	Letters are to be charged with postage per single rate, (not exceeding half an ounce,) at	Remarks.	Postage chargeable on each newspaper.	Remarks.
Great Britain and Ireland	24 cents, (California and Oregon excepted) 5 cents to be added when to or from California or Oregon.....	Prepayment optional.	2 cents	To be prepaid when sent from or collected when received in the U. S.
Alexandria, city of, via Marseilles .....				
Algeria .....				
Austria and the Austrian States .....				
Baden .....				
Bavaria .....				
Belgium .....				
Bremen, free city of ....				
Brunswick .....			4 cents	
Beyroot, city of, via Marseilles .....				
Dardanelles, the...do...				
Denmark .....				
France .....				
German States .....				
Gibraltar .....				
Greece, via Marseilles ..	5 cents (California and Oregon excepted)	On all letters between the United States and the countries here named, when sent through the United Kingdom, the		To be prepaid when sent from, or collected when received in the U. S.

*Postages to Foreign Countries—Continued.*

When directed to any of the countries, cities, or towns below named,	Letters are to be charged with postage per single rate, (not exceeding half an ounce,) at	Remarks.	Postage chargeable on each newspaper.	Remarks.
Hamburg and Cuxhaven	when conveyed by British packet.....	United States postage, and that only, <i>must</i> be collected in the United States by prepayment when sent, and on delivery when received, at the rate of 5 cents the single rate when conveyed by British packet (unless from or to Oregon or California, then 10	4 cents	To be prepaid when sent from, or collected when received in the U. S.
Hanover.....	10 cents to or from Oregon or California when conveyed by British packet.....	cts.) and 21 cts. the single rate when conveyed by United States packet, unless as aforesaid from or to Oregon or California, then 26 cents.....		
Holland.....	21 cents (California and Oregon excepted) when conveyed by United States packet.			
Hong Kong, (China,) Isle of.....	26 cents to or from Oregon or California, when conveyed by United States packet.			
Ionian Islands.....				
Lubec, free city of.....				
Malta, Island of.....				
Mechlenburg Schwerin..				
Mechlenburg Strelitz...				
Modena.....				
Moldavia.....				
Naples, kingdom of, via Marseilles.....				
Norway.....				
Oldenburgh.....				
Parma.....				
Placentia.....				
Poland.....				
Prussia.....				
Roman, or Papal States.				
Russia.....				
Sardinia.....				
Saxony.....				
Scutari, city of, via Marseilles.....				
Sicily, Island of.....				
Smyrna, via Marseilles..				
Sweden.....				
Switzerland.....				
Turkey in Europe.....				
Tuscany, via Marseilles.				
Venitian States.....				
Walachia.....				
Wurtemberg.....				
Aden, (Asia,) via Southampton.....	45 cents .....			
Australia, via Southampton and India.....	53 " .....			
Australia, by private ship	37 " .....			
Azores, Islands, via Southampton and Lisbon...	63 " .....			
Bourbon and Borneo, Islands of, via Southampton and India.....	53 " .....			
Brazils, via Falmouth...	87 " .....			
Canary Islands, do.....	65 " .....			



## Postages to Foreign Countries—Continued.

When directed to any of the countries, cities, or towns below named,	Letters are to be charged with postage per single rate (not exceeding 4 an ounce) at	Remarks.	Postage chargeable on each newspaper.	Remarks.
Cape de Verde Islands..	65 cents .....			
Ceylon, Island, via Southampton.....	45 " .....			
China, do.....	45 " .....			
Egypt, } do.....	57 " .....	On all letters between the United States (Oregon and California excepted) and the countries here named, through the United Kingdom, and by the routes specified, the rates here affixed must be prepaid when sent from, and collected when received in, the U. States. When the letter is to or from Oregon or California, 5 cents per single rate must be added to these amounts.	4 cents	To be pre-paid when sent from, or collected when received in, the U.S.
Greece, }				
Heligoland, Island of, via London.....	33 " .....			
Indies, East, via Southampton.....	45 " .....			
Java and Labuan, via Southampton and India	53 " .....			
Lucca, via France.....	31 " .....			
Madeira, Island of, via Southampton.....	65 " .....			
Mauritius, via Southampton and India.....	45 " .....			
Moluccas, do. do....	53 " .....			
New South Wales, via Southampton and India	53 " .....			
New South Wales, by private ship .....	37 " .....			
New Zealand, via Southampton and India....	53 " .....			
New Zealand, by private ship.....	37 " .....			
Phillippine Islands, via Southampton.....	45 " .....			
Portugal, do.....	63 " .....			
Sierra Leone.....	45 " .....			
Spain, via Southampton.	73 " .....			
Sumatra, Island of, via Southampton and India	53 " .....			
Syria, via Southampton.	57 " .....			
Van Dieman's Land, via Southampton and India	53 " .....			
Any British colony or other foreign country, when conveyed to or from the United Kingdom by private ships..	37 " .....			

## Postages to Foreign Countries—Continued.

When directed to any of the countries, cities, or towns below named,	Letters are to be charged with postage per single rate (not exceeding $\frac{1}{2}$ an ounce) at	Remarks.	Postage chargeable on each newspaper.	Remarks.
<p>Aden, (Asia).....</p> <p>East Indies.....</p> <p>Ceylon, Island of.....</p> <p>China.....</p> <p>Hong Kong, Island of..</p> <p>Mauritius.....</p> <p>Phillippine Islands.....</p> <p>By closed mail, via Marseilles.</p>	<p>50 cents British and sea.....</p> <p>10 cents foreign.</p> <p>5 cents United States.....</p> <p>—</p> <p>65 total.....</p>	<p>To be prepaid when sent from, or collected when received in the U. States.....</p> <p>In computing postage to the countries here named, the British and sea postage, and the U. S. postage are rated by the <math>\frac{1}{2}</math> oz. for the single letter; while the foreign postage is rated by the <math>\frac{1}{2}</math> ounce for the single letter. Thus a letter directed to the East Indies by a British steamer, if it weighs less than <math>\frac{1}{2}</math> oz. will be charged 65 cents postage; if <math>\frac{1}{2}</math> oz., or more, but less than <math>\frac{1}{2}</math> oz., 75 cts. —the foreign postage only being doubled for each <math>\frac{1}{2}</math> ounce.....</p>	4 cents	To be pre-paid when sent from, or collected when received in the U. States.
<p>Australia.....</p> <p>New Zealand.....</p> <p>Van Dieman's Land....</p> <p>Bourbon, Borneo.....</p> <p>Java, Labuan.....</p> <p>Moluccas, Sumatra....</p> <p>Or any other place in the Indian Archipelago...</p> <p>By closed mail, via Marseilles.....</p>	<p>58 cents British and sea.....</p> <p>10 cents foreign</p> <p>5 cents United States.....</p> <p>—</p> <p>73 total.....</p>	<p>The foreign portion of the above rates is to be charged as follows: Letters weighing under <math>\frac{1}{2}</math> ounce, one rate; weighing <math>\frac{1}{2}</math> oz. &amp; under <math>\frac{1}{2}</math> oz. two rates; <math>\frac{1}{2}</math> oz. and under <math>\frac{1}{2}</math> oz. three rates; <math>\frac{3}{4}</math> oz. and under 1 oz., four rates; 1 oz. and under 1 <math>\frac{1}{2}</math> oz., five</p>		
<p>Egypt.....</p> <p>Syria.....</p> <p>By closed mail, via Marseilles.....</p>	<p>46 cents British and sea.....</p> <p>10 cents foreign.</p> <p>5 cents United States.....</p> <p>—</p> <p>61 total.....</p>			
<p>Egypt.....</p> <p>Syria.....</p> <p>Tunis, Africa.....</p> <p>By French packet, via Marseilles.....</p>	<p>26 cents British and sea.....</p> <p>20 cents foreign.</p> <p>5 cents United States.....</p> <p>—</p> <p>51 total.....</p>			

## Postages to Foreign Countries—Continued.

When directed to any of the countries, cities, or towns, below named,	Letters are to be charged with postage per single rate (not exceeding $\frac{1}{4}$ an ounce) at	Remarks.	Postage chargeable on each newspaper.	Remarks.
Spain, via France.....	26 cents British and sea..... 10 cents foreign. 5 cents United States..... — 41 total.....	rates; and so on, an additional rate being charged for each quarter of an ounce.....  When a letter to these countries is from Oregon or California, and <i>vice versa</i> , the single rate is in each instance to be 5 cents more than the total amount here stated.....		
Bremen, Germany, (by the Bremen line)	20 cents .....	Pre-payment optional.....		
Altona.....do.	Add 6 cts. to U. S. postage of 20 cts.	Letters to the cities and countries in Germany here named, if sent by the <i>Bremen line</i> , can be pre-paid to destination, if desired, by pre-paying the amounts here stated in addition to the U. S. postage of 20 cents per single rate.....		
Brunswick.....do.	Do. 7 do...			
Cassel.....do.	Do. 7 do...			
Coburgh.....do.	Do. 7 do...			
Darmstadt.....do.	Do. 7 do...			
Frankfort-on-the-Maine.....do.	Do. 7 do...			
Gotha.....do.	Do. 7 do...			
Hamburg.....do.	Do. 5 do...			
Hanover.....do.	Do. 6 do...			
Hesse Hamburg.....do.	Do. 12 do...			
Kiel.....do.	Do. 8 do...			
Lippe Detmold.....do.	Do. 12 do...			
Lubeck.....do.	Do. 8 do...			
Mecklenburgh Schwerin.....do.	Do. 12 do...			
Mecklenburgh Strelitz.....do.	Do. 12 do...			
Nassau.....do.	Do. 12 do...			
Oldenburgh.....do.	Do. 2 do...			
Prussia, (Kingdom and Provinces).....do.	Do. 7 do...			
Reuss.....do.	Do. 12 do...			
Saxe Altenburgh.....do.	Do. 12 do...			
Saxe Meiningen.....do.	Do. 12 do...			

To be pre-paid when sent from, or collected when received in the U. States.

2 cents

*Postages to Foreign Countries—Continued.*

When directed to any of the countries, cities or towns below named,	Letters are to be charged with postage per single rate (not exceeding $\frac{1}{4}$ an ounce) at	Remarks.	Postage charged on each newspaper.	Remarks.
Saxe Weimar, (by the Bremen line.)	Add 12 cts. to U. S. postage of 20 cts.	single letter to Cassel, Coburgh, Frankfort-on-the-Maine, Darmstadt, and Wurtemberg is $\frac{1}{4}$ ounce; to the other places here named, $\frac{1}{2}$ an ounce.....		
Saxony, Kingdom of. do.	Do. 12 do...			
Schaumburg Lippe... do.	Do. 12 do...			
Schwartzburg				
Reidolstadt..... do.	Do. 12 do...			
Schwartzburgh				
Sunderhausen..... do.	Do. 12 do...			
Wurtemberg, Kingdom of..... do.	Do. 7 do...			
Alexandria..... do.	Do. 37 do...	On letters to the cities and countries on the continent of Europe here named, if sent by the Bremen line, it is advised that the U. S. postage only be prepaid, if prepayment is desired, leaving the foreign portion of the postage to be collected from the receiver. But letters to these places can be sent wholly unpaid. Except to Denmark, Sweden, and Russia, the foreign single rate to any of these places, is limited to $\frac{1}{4}$ ounce.....	2 cents	To be pre-paid when sent from, or collected when received in, the United States.
Austria, Emp & Prov's of.	Do. 7 do...			
Baden.....	Do. 7 do...			
Basle and other Parts of Switzerland.....	Do. 21 do...			
Bavaria.....	Do. 7 do...			
Cairo.....	Do. 37 do...			
Constantinople.....	Do. 37 do...			
Denmark, (Copenhagen and furthest parts)....	Do. 22 do...			
Greece.....	Do. 37 do...			
Italy, eastern towns of..	Do. 18 do...			
Norway, (Bergen, Christiana, and furthest parts)	Do. 28 do...	To be pre-paid when sent from, or collected when received in, the U. States.....	2 cents	To be pre-paid when sent from, or collected when received in, the U. S.
St. Petersburg or Cronstadt.....	Do. 24 do...			
Sweden, Stockholm, and furthest parts.....	Do. 39 do...			
Havre, (France,) or any other port or place on the coast of France, Germany, or any other port or place in Europe where the United States steam packets touch, (Great Britain and Ireland excepted)	20 cents—U. S. postage.....			

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SEC. 147. *Newspapers*.—Between the United States and Great Britain, the United States postage on each newspaper is *two* cents, which must be collected whether the paper is sent or received. In like manner, the British office collects its portion, also, of *two* cents

per newspaper. Thus, though such paper comes, as it should do, marked "paid," there is still the United States postage of two cents to be collected of the receiver. If the newspaper, however, has passed, or is to pass, *in transit* through Great Britain from or to some other foreign country, then the sum, in each instance, to be collected here, is *four* cents—two United States and two British.

SEC. 148. Newspapers and periodicals to foreign countries (particularly to the continent of Europe) must be sent in narrow bands, open at the sides or end; otherwise they are chargeable there with letter postage.

SEC. 149. *Periodicals*.—Periodical works and pamphlets are not entitled to transit conveyance *through* the United Kingdom of Great Britain and Ireland, but they may be sent from the United States to the United Kingdom, and *vice versa*, at two cents of United States postage each, if they do not exceed two ounces in weight; and at *four* cents per ounce, or fraction of an ounce, when they exceed that weight, to be collected in all cases in the United States; and the same will be subject to an additional like charge in the United Kingdom. Under the postal treaty with Great Britain, however, no pamphlet can be sent exceeding eight ounces in weight, and no periodical weighing over sixteen ounces. When sent to, or received from foreign countries, *without passing through the United Kingdom*, they will be chargeable with the regular United States rates, to be prepaid when sent, and collected when received; and the weight, according to act of Congress of 3d March, 1851, must not exceed thirty-two ounces.

SEC. 150. *Dead Matter*.—All British and foreign letters, and all *foreign* newspapers remaining on hand, refused or not called for, are to be returned by the postmasters, as dead letters and newspapers, to the General Post Office, under address to the Third Assistant Postmaster General, separately from all other letters. This is necessary to enable the United States post office to reclaim the amount with which it stands debited upon each letter and newspaper.

SEC. 151. *Directions to the Exchange Offices, under the United States and British Postal Treaty, how to postmark*.—The exchange offices of the two countries, in mailing to each other, are to postmark the letter, not with the entire postage, but with the credit and debit portions of it only; if a paid letter, with the credit amount in favor of the other country, in *red* ink, and with a "paid" stamp in same color; if unpaid, with the debit amount against the other country, in *black* ink. But before the exchange office receiving such letter, delivers it, or mails it to the interior, it is to re-stamp

the letter with its own office stamp, in all cases, and with the "paid" stamp in *red* ink, if paid; if unpaid, with the amount, in *black*, of the *entire postage* to be collected.

NOTE.—California and Oregon, as parts of the United States, are embraced in the table of domestic postages. Letters to any places therein, (the distance being over 3,000 miles) are *six cents* prepaid per rate, and *ten cents* unpaid. On newspapers and other printed matter, the *domestic* rates also apply.

But to Chagres and Panama (*foreign*) the letter postage must be rated under that clause in the law specifying letters to be "conveyed wholly or in part by sea, and to or from a *foreign* country." The single-letter postage to Chagres, Panama, and other such places, is *ten cents*, if the distance from the mailing office is under 2,500 miles, and *twenty cents* if the distance is over 2,500 miles; in both cases to be prepaid when the letter is sent *from*, and *collected* when received *in*, the United States. To either of these places, from New York, the distance *exceeds* 2,500 miles; from all the southern ports the distance is less than 2,500 miles.

*Ship Letters*.—Letters sent from the United States to foreign countries by private vessels, are chargeable with inland postage, which must be prepaid from the mailing office to the port of sailing. The Postmaster of San Francisco is specially instructed to make up and despatch such mails to the Sandwich Islands, China and New South Wales.

## CHAPTER 19.

### *Delivery of Letters.*

SEC. 152. The persons entitled to letters received by mail, are those whose names are in the address.

SEC. 153. The delivery should be either to the person addressed, or according to his order. The order is, in some cases, implied, as where a person is in the habit of receiving his letters through his son, clerk, or servant, and of recognising the delivery to him.

SEC. 154. If a letter appear to be of value, it will be safest to require a written order for its delivery to the person calling, if he be not the person addressed.

SEC. 155. A letter addressed to a firm, may be delivered to any member of the firm; if addressed to several persons, it may be delivered to any one of them.



**SEC. 156.** If there be two or more persons of the same name, and a letter intended for one is delivered to another, the postmaster will reseal the letter in the presence of the person who opened it, and request him to write upon it the words, "*Opened by me through mistake,*" and sign his name; he will then refund the postage paid, and replace the letter in the office.

## CHAPTER 20.

### *Masters of Steamboats to deliver Letters and Packages into Post Offices.*

**SEC. 157.** The masters of steamboats under contract with the Department, will deliver into the post offices, (or to the local agent of the Department, if there be any,) at the places at which they arrive, all letters received by them, or by any person employed in their boats, at any point along the route.

**SEC. 158.** Masters or managers of all other steamboats, are required by law, under a penalty of thirty dollars, to deliver all letters brought by them, or within their care or power, addressed to, or destined for, the places at which they arrive, to the postmasters at such places: *except letters relating to some part of the cargo.* All letters not addressed to persons to whom the cargo, or any part of it, is consigned, are therefore to be delivered into the post office, to be charged with postage.—*See act of 1825, secs. 6 and 19.*

**SEC. 159.** All letters conveyed by steamboats, packets, or other vessels, relating to the cargo, must be left unsealed; and if sealed, must be delivered into the post office and charged with postage; but if upon being opened in the presence of the postmaster, and found to relate to the cargo, the postage may be remitted. The law relating to this subject is often violated. Postmasters will use diligence to correct the evil, and prosecute for the penalty, in every case where they can obtain testimony.

## CHAPTER 21.

### *Masters of every Vessel from a Foreign Port, to deliver Letters and Packets into Post Offices.*

**SEC. 160.** The terms, *ship letters and packets*, embrace the letters and packets brought into the United States, from foreign countries, or carried from one port in the United States to another, in any private ship or vessel, before such letters have been mailed.

**SEC. 161.** Every master of a vessel from a foreign port is bound, immediately on his arrival at a port, and before he can report, make entry, or break bulk, under a penalty not to exceed \$100, to deliver into the post office all letters brought in his vessel, directed to any person in the United States, or the Territories thereof, which are under his care or within his power, except such letters as relate to the cargo or some part thereof.

**SEC. 162.** It is the special duty of the postmaster at a port where vessels may enter, to see that this law is strictly observed and enforced.

**SEC. 163.** Every such postmaster will obtain from the master of the ship or vessel, a certificate, specifying the number of letters, with the name of the ship or vessel, and place from which she last sailed, and upon each letter which has not been before mailed, and which shall be delivered into his office for mailing, he shall pay to the said master or owner two cents, and take his receipt therefor, except at the ports on Lake Erie, where one cent will be paid.

## CHAPTER 22.

### *Letters missent and to be forwarded.*

**SEC. 164.** In forwarding letters by mail, postmasters will, in all cases, be governed by the address. If, contrary to its address, a letter be missent, no additional postage is to be charged for forwarding, unless the postage to its proper destination be deficient. But if the letter has been sent according to its address, and is forwarded at the request of the party addressed, or the known writer thereof, or otherwise, additional postage to the place of its destination is to be charged, and the two postages entered in a new post-bill.

**SEC. 165.** In every case of a letter forwarded, the original postage should be noted on the bill with which the letter was received, if it can be found; if not, upon some other post bill; and it should be entered on the proper line of the *Account of mails received*, in the column headed *overcharged*, and the word "*forwarded*," with the date, written immediately after it.

**SEC. 166.** Orders to forward letters should be in writing, and filed by postmasters.

## CHAPTER 23.

### *Return of Letters.*

**SEC. 167.** To prevent fraud, the postmaster will be careful not to return any letter put into his office for transmission by mail,

unless to the writer thereof, or some one presenting his written order.

SEC. 168. And to enable him to know that the person applying for the return of a letter is the writer, he may require him, or his messenger, to exhibit to him the same superscription and seal that are upon the letter. And if the postmaster is satisfied that the handwriting and seal are the same, he will return the letter; taking a receipt and preserving it with the paper containing the superscription, and the order, if one were sent.

SEC. 169. A letter bearing the frank of an individual may be returned to him, or his order.

## CHAPTER 24.

### *Advertising Letters.*

SEC. 170. The following Rules and Regulations for advertising uncalled-for letters, under the provisions of the 5th section of the act of the 3d of March, 1851, will be observed.

1. When the gross receipts of the Post Office for the then next preceding quarter shall not have exceeded \$500, the Postmaster shall advertise such uncalled-for letters once in six weeks only: when such gross receipts shall have exceeded \$500, and have not exceeded \$1,000, the Postmaster shall advertise once a month only: when such gross receipts shall have exceeded \$1,000, and shall not have exceeded \$7,500, the postmaster shall advertise twice a month: and when such gross receipts shall have exceeded \$7,500, the postmaster shall advertise *once a week*.

2. Such advertisements are to be inserted in one newspaper only, which must be printed in the city, town, or village in which the post office is situated, and must have the largest circulation within the range of delivery of said office of any paper issued weekly or oftener, printed in such city, town, or village. Should the publisher of such paper refuse to give such list of letters one insertion, at one cent for each letter, the postmaster will designate for this service some other paper published in the same place. He is also required to post in a conspicuous place in his office a copy of such list on the day or day after the publication thereof.

3. If there is no newspaper printed in the city, town, or village where the post office is kept, or if the publishers of all the papers so printed shall refuse to advertise the letters for the price above mentioned, then manuscript lists of them are to be made out, and

posted at such public places in the town and neighborhood as shall appear best adapted for the information of the parties concerned.

4. Refused letters are not to be advertised, nor those which the postmaster expects will be immediately taken from the office.

5. Drop and box letters, circulars, free packets containing printed documents, speeches, or other printed matter, are not to be advertised.

6. In case of question or dispute, as to the circulation of any paper claiming the advertisement of the uncalled-for letters, it shall be the duty of the postmaster, on the first Monday of January, in each year hereafter, to receive evidence and decide upon the fact; such decision shall remain for one year, unless, for good cause, the Postmaster General shall otherwise order; and the evidence upon which the postmaster decides to give the printing to a particular paper shall always be open to inspection. In all such cases the postmaster shall, at least one week prior to the day of receiving such evidence, fix and define the limits and boundaries of the territory, deemed by him to be embraced within the range of the delivery of his office, by a plain and intelligible written statement, to be signed by him and filed in his office; and of which every person claiming the advertisement shall be entitled to take a copy. Such postmaster shall require, as a part of the evidence on which he is to make his decision, an affidavit of the proprietor or printer of such newspaper, for which the advertisement is claimed, or of the clerk or foreman in the office of such paper, showing his means of knowledge in respect to the circulation of such newspaper within the limits of the district so embraced in the range of the delivery of such office, and stating the average, actual, ordinary and *bona fide* circulation of each regular issue of such paper within such district, for the four weeks ending on the Saturday next prior to the day on which such evidence is received; and that such circulation has not, during said four weeks, been increased by any gratuitous circulation, by a reduction in price below the ordinary and usual price of such paper, or by any other extraordinary means, for the purpose, in whole or in part, of obtaining any list or lists of uncalled-for letters for publication; and such average, actual, ordinary, and *bona fide* circulation of each regular issue of such paper for such four weeks, as established by such affidavit and the other evidence submitted to such postmaster, shall be deemed the circulation on which the question of the greater circulation shall be determined. Other evidence, in addition to such affidavit, in corroboration thereof, or in contradiction of the same, may be submitted by any party interested in the decision.

7. When authority for the publication of lists of foreign letters in a newspaper printed in a foreign language is deemed advisable, the postmaster must make a special application for the necessary order to publish in such paper.

8. All orders for publication of these lists of uncalled-for letters in more than one newspaper are vacated and annulled. The present law authorizes a single publication in one paper only.

9. When daily, semi weekly, tri-weekly, or weekly papers are issued from the same office, the proprietor must not be allowed to aggregate the circulation of such papers, but the single circulation of each issue of the particular paper for which he claims the publication. Whether the paper is issued daily, tri-weekly, semi-weekly, or weekly must be shown, and the advertisement inserted in the particular paper which has the largest circulation.

## CHAPTER 25.

### *Lost Letters and Mail Depredations.*

SEC. 171. Money and other valuable things, sent in the mail, are at the risk of the owner. But, if they be lost, the Department will make every effort in its power to discover the cause, and, if there has been a theft, to punish the offender.

SEC. 172. In every case of loss by mail, whether supposed to be the result of casualty or of depredation, the Department should be informed without delay, of all the circumstances connected with it. Particular care should be taken to state the name of the office in which the letter was placed, the day on which it was so placed, and whether by the writer himself, or by another person, the day on which, if at all, it was actually mailed, the names of the writer and the person addressed, the amount, and if practicable, a particular description of the valuable enclosure, the amount of postage marked on the letter, and whether paid or unpaid, the office to which addressed, and whether mailed direct thereto, or to another office for distribution, and the route by which it was sent, with any further particulars that may aid the Department in its investigation respecting the cause of loss.

SEC. 173. No reported loss will be investigated by an agent, unless satisfactory evidence is produced, either by the certificate of the postmaster, or some other disinterested individual that the money or other valuable thing was deposited in the post office.

SEC. 174. All necessary expenses that may be incurred in re-

covering the mail, and in apprehending the robber, will be reimbursed by the Department.

SEC. 175. In some cases it may be proper to offer a reward, not to exceed fifty dollars, payable on conviction, for the apprehension of the criminal.

SEC. 176. In every case when the criminal is apprehended, the Attorney of the United States for the district in which the offence was committed, should be promptly informed of the facts, and his advice obtained.

SEC. 177. If the prosecution be had before the Federal Court for the District, as it should be in all cases, and must be when State officers refuse to act, the Attorney of the United States will conduct it.

SEC. 178. Persons arrested for mail depredations should in all cases when it is practicable, be taken before a district, or circuit judge, or a commissioner of the United States, for examination and commitment.

SEC. 179. In every case it is expected that postmasters will spare no exertions to have justice done, and the guilty punished, by procuring testimony, and giving the prosecution every other aid in their power.

SEC. 180. Cases of mail robbery should be at once reported to the Department, and information given from time to time, of what further transpires respecting them.

SEC. 181. At all large offices at which daily mails from other large offices are received, care should be taken to note the fact, if the usual mail from any of those offices fail for any given day, to arrive, and if subsequent mails arrive, leaving that for a preceding day still due, the mailing office should immediately be written to for information, whether such mail as that supposed to be missing, was actually sent; and if the answer be in the affirmative, a report of the loss should, without further delay, be made to the Department.

SEC. 182. If a postmaster has reason to believe that a mail has been robbed or stolen, in the vicinity of his office, he should at once examine into the evidence of the fact; and, if satisfied that such robbery or theft has actually occurred, should take immediate and energetic measures for recovering the mail, and for apprehending and prosecuting the offender.

## CHAPTER 26.

### *Dead Letters.*

SEC. 183. Dead letters are such as have been advertised and

have remained on hand three months or longer.—*See act of March 3, 1825, sec. 26.*

But letters refused, or which cannot be delivered, are also to be considered dead letters and forwarded to the Department at the end of each month, without being advertised.

SEC. 184. All letters from foreign countries, including those from the British North American Provinces, should be returned at the expiration of one month after having been duly advertised.

SEC. 185. Letters for foreign countries which cannot be forwarded without prepayment of postage; letters not addressed or so badly directed that their destination cannot be ascertained, and letters addressed to places where there are no Post Offices, must be returned to the Department monthly with the "refused" and "foreign dead letters."

SEC. 186. At the end of each quarter, all dead letters then on hand, including such as are mentioned in the three preceding sections, and were not returned in the first two months of the quarter, must be forwarded to the Department in the regular quarterly return, with a dead letter bill, showing the whole number then sent, as well as those sent in the two previous months.

SEC. 187. When refused letters, or letters which cannot be delivered, or letters from foreign countries, or any such as are mentioned in section 185, are returned to the Department monthly, the Postmaster should not omit to note on the dead letter bill for the last month of the quarter, the amount of the bills returned for each of the two preceding months, so as to give a *complete dead letter bill for the whole quarter*, corresponding in amount with the credit claimed for dead letters in his quarterly account current. All dead letter bills are to be made in duplicate, and one of each retained by the Postmaster.

SEC. 188. The dead letter bill should be so made up as to show the number of *unpaid* letters of each rate,—the number of *paid* letters of each rate,—the number of drop letters,—the number of *unpaid foreign* letters and their rates,—the number of *paid foreign* letters and their rates; and each description of dead letters here mentioned should be carefully put in separate parcels, and the whole tied in one bundle.

SEC. 189. If the dead letters at any office be so numerous as to make it necessary to put them in several bundles, the bundles should be numbered consecutively, beginning with number 1, and the dead letter bills should always be put in the last number which should be marked "*Bill.*"

SEC. 190. No allowance will be made for dead letters returned, unless they are accompanied by a dead letter bill.

SEC. 191. When a letter is refused, the word "refused" should be at once plainly written upon it, and the letter put with those to be returned at the end of the month.

SEC. 192. If previous to its return, the seal of a dead letter be broken by accident, or by having been delivered to the wrong person, the fact and circumstances must be noted upon it.

SEC. 193. Every dead letter must bear on the sealed side *the stamp or post-mark* of the Post office by which it is returned, and *the date of its return* to the Department.

SEC. 194. When any letter from this Department, or from any other Department or public office at the seat of Government, is not called for within one month from the time of its receipt, or when the person addressed is known to be dead, or to have moved away, such letter must be returned *direct* to the Department or public office in which it originated, and should never be sent to the Post Office Department as a dead letter.

SEC. 195. Only the dead letters containing enclosures of value, are required by law to be preserved and returned to their owners; but if the writer of a letter not containing an enclosure of value desire to have his letter preserved, it will be done if he prepay the letter and mark the words "to be preserved," in large characters, on the sealed side. Upon the return of his letter he will be required to pay the postage from Washington.

## CHAPTER 27.

### *Letter Carriers.*

SEC. 196. Postmasters are authorized to employ letter carriers. They are to be nominated to and appointed by the Postmaster General, and are required to give bonds to the United States, to be approved by him.—*Act of July, 1836, sec. 41.*

SEC. 197. When so appointed and qualified, the postmaster may, at his risk and responsibility, place in the hands of the carriers for delivery, all letters received, except such as are for persons who may have lodged with him a written request to retain their letters in the office.—*Act of 1825, sec. 36.*

SEC. 198. Such carriers may charge and receive two cents for every letter, and a half cent for every newspaper, delivered by them,



unless otherwise directed by the Postmaster General.—*Act 3d of March, 1851.*

## CHAPTER 33.

### *Mail Carriers, Route Agents, Mail Messengers and Local Agents.*

SEC. 199. It is the duty of a mail carrier to receive and convey a letter, (and the money for its postage when tendered,) if delivered to him more than a mile from a post office, and to hand it, with the money, if paid, into the first post office at which he arrives. A penalty of \$50 attaches on failure to do so.

SEC. 200. On the letters brought by a mail carrier to be mailed, called way letters, one cent is to be charged, in addition to the usual postage, which is to be rated from the place where the carrier received the letter. It is to be marked "*Way*," and one cent paid to the carrier.

SEC. 201. On Railroad and Steamboat routes, it is the duty of Route agents—1st. To receive letters written after the mail has closed, and way letters unpaid or pre-paid by stamps; to mail and post bill said letters, and direct them to the proper office for delivery or distribution, and to report a list of all such letters to the contract office. 2d. To assort the mails for the several offices, being entrusted with the key to the iron lock for that purpose. 3d. To attend to the delivery and reception of mail bags. 4th. To report to the Inspection Office all irregularities of service on the route, especially every instance in which they fail to receive or deliver a mail where one is due, with the cause of such failure—which, if not known, must be ascertained by inquiry.

SEC. 202. In connection with the same class of Routes, Mail-messengers, in certain cases, are appointed to carry the mail to and from Post Offices, when such offices are more than eighty rods from the steamboat landing, or railroad station.

SEC. 203. On the Ohio river from and below Louisville, and on the Mississippi and Red river, the conveyance of the mail is engaged by the trip. Local agents assigned to that duty are stationed at Louisville, St. Louis, and New Orleans. The evidence of the agreement is reported to the Contract Office. The mail bill, executed by the agent and captain, and the certificates of the postmasters of the receipt of the mails upon the duplicate of the bill, upon which the captain obtains payment for the service, are sent to the Inspection Office as proof of performance, and by that office to the Auditor, to obtain the proper credit for the Postmaster.

**SEC. 204.** Route agents, mail messengers and local agents must take the usual oaths of office and transmit them to the Inspection Office. They are thereupon exempt as mail carriers, from militia and jury duty.

**SEC. 205.** Mail carriers, contractors or stage drivers cannot lawfully carry out of the mail, any letter or packet; but are permitted so to carry newspapers for sale or distribution to subscribers, and also pamphlets, magazines and periodicals when not marked or directed, nor intended for immediate distribution to subscribers or others, but intended for sale as merchandize and sent to some *bona fide* dealer or agent for the sale thereof.

## CHAPTER 28.

### *Newspapers, Pamphlets and Magazines.*

**SEC. 206.** Printers of newspapers are required before delivering their papers into any office for transmission, to have them placed under substantial bands or wrappers in separate packages of not more than twenty papers each : to write distinctly upon each package the name of the office to which it is to be sent, its county and State, and the same direction upon one of the papers therein.—Every package not properly directed is to be returned to the printer.

**SEC. 207.** A Postmaster will not suffer any package to be opened which is not addressed to his office, nor any addressed to his office to be opened by persons not duly authorized.

**SEC. 208.** If newspapers are carried out of the mail for sale or distribution, postmasters are not bound to receive and deliver them. Pamphlets and magazines for immediate distribution to subscribers cannot be so carried without a violation of the law of Congress.

**SEC. 209.** The wrappers on newspapers, pamphlets, magazines and other printed matter must be removed before their delivery, except in the case of such as are duly and properly franked. The wrappers form no part of the matter for which postage is charged, and are to be carefully examined to see that nothing subject to letter postage has been fraudulently concealed.—*Act of 3d March, 1851.*

**SEC. 210.** Postmasters will not suffer newspapers to be read in their offices by persons to whom they are not addressed ; nor to be lent out in any case, without permission of the owners.

**SEC. 211.** If newspapers are not taken out of the office by the person to whom they are addressed, the postmaster will give immediate notice to the publishers, and of the cause thereof if known.

If sent for three months after notice, the paper may be sold for postage. The like notice will be given in respect to pamphlets and magazines published periodically, which are to be returned to the publisher if desired, and delivered to him upon payment of the postages forward and back ; but the notices in both cases are to be franked.

SEC. 212. The commissions on newspaper postage belong to the postmaster who collects it, though he may immediately go out of office and the papers be delivered by his successor.

## CHAPTER 29.

### *Account of Newspapers.*

SEC. 213. Every postmaster will keep—

1. An account in which he will enter at the beginning of the quarter, or on first receiving any particular paper, all newspapers by name that are to come regularly to his office, except such weekly papers as are free, and in the proper column opposite each paper, the amount of postage thereon for the quarter. This postage is to be collected in advance. In the same account and in the same manner he will enter all periodicals regularly received and which have not been prepaid at the mailing office. At the end of the quarter he will correct this account, 1st, by adding to it all the extras, supplements and duplicates of said papers which have been received ; and 2d, by deducting the amount he may have refunded for papers which failed to arrive.

2. An account in the form prescribed by the Department, of all pointed matter other than that embraced in the above account, and on which the postage was payable at his office. This account will therefore include the amount of postage (required to be prepaid) on each and every transient newspaper, unsealed circular, handbill, engraving, pamphlet, periodical, magazine, book and every other description of printed matter mailed at his office, except newspapers for actual and *bona fide* subscribers, and periodicals published at intervals of not more than three months. It will also include the postage on any such matter deliverable at his office, which through inattention of the postmaster or otherwise, may not have been prepaid at the mailing office, and the postage on every description of printed matter mailed or received at his office to or from foreign countries.

From the danger of omissions in an account of items so small and various, postmasters are especially cautioned to make their en-

tries daily or oftener, and to follow the forms prescribed by the Department, which are intended to secure the Department from loss of the full amount of postage upon the vast quantity of this description of matter passing through the mails.

## CHAPTER 30.

### *The Franking Privilege.*

SEC. 214. The right to send and receive letters and packets through the mail, free of postage, is held either as a personal privilege, or as an official trust for the maintenance of official correspondence. In both its forms, the right varies in respect to different classes of officers and individuals, in the kind as well as weight of matters which may be so sent or received. An interchange between publishers of pamphlets, periodicals, magazines and newspapers, of their respective publications, is allowed for the purpose of promoting the dissemination of that kind of information of which they are the vehicles.

SEC. 215. The following officers and persons enjoy the right as a personal privilege, subject in the case of some of them, to the several restrictions stated and annexed.

1. The President of the United States; the individuals who at former periods have filled the office of President; Mrs. Adams, Mrs. Harrison, Mrs. Polk and Mrs. Taylor, relicts of former Presidents.

2. Members of Congress and delegates from Territories, during their term of office, and until the 1st Monday of December, after its expiration—Restricted to letters and packets not exceeding two ounces in weight, and public documents. Public documents are those printed by the order of either House of Congress, and publications and books procured or purchased by Congress, or either House for the use of the Members.

3. The Vice President, the Secretary of the Senate, the clerk of the House of Representatives, during their official terms—Restricted as Members of Congress and Delegates.

4. Every postmaster whose commissions for the previous fiscal year, ending 30th June, did not exceed \$200—Restricted to sending letters written by himself on his private business, and receiving written communications addressed to himself on his private business; such letters or written communications not to exceed half an ounce in weight. He cannot, therefore, receive or send free

any description of printed matter. He cannot frank or receive free letters written by or addressed to his wife or any other member of his family, or by or to a firm of which he is a member. Neither is he authorized to frank letters containing money or other things, nor letters written by himself on the business of others.

SEC. 216. By the following officers, the privilege is held in trust for the maintenance of correspondence required in the performance of official duty. The act of 3d March, 1847, having made an appropriation in "compensation for such mail services as may be performed for the several departments of the Government," that provision has been construed as extending the right, so far as official correspondence is concerned, to all officers of the Departments who enjoyed it prior to the act of 3d March, 1845, and to those of like grade since provided for in the act establishing the Department of the Interior. The following are the officers of this class:

5. The Secretaries of the Departments, Postmaster General and Attorney General of the United States; the 1st and 2d Comptrollers of the Treasury; the Solicitor of the Treasury; the Auditors of the Treasury; the Treasurer of the United States; the Register of the Treasury; the Assistant Secretary of the Treasury; the Commissioner of the General Land Office; the Commissioner of Customs; the Commissioner of Patents; the Commissioner of Indian Affairs; the Commissioner of Pensions; the Assistant Postmasters General; the Adjutant General of the Army; the Quarter Master General; the Inspector General; the Commissary General of Subsistence; the Paymaster General; the Chief Engineer; the Surgeon General; the Colonel of Ordnance; the Chiefs of Bureaus of the Navy Department—Restricted to letters and packets relating to their official duties, those sent to be marked or stamped "official business," and this declaration to be subscribed by the officer with a designation of his office. In the case of the heads of departments *alone*, this declaration may be subscribed under their direction by their respective Chief Clerks.

6. The Governors of States to the Governors of other States:—Restricted to laws and reports, bound or unbound, records and documents of the State, which the Legislature thereof may direct to be sent to the Executive of other States.

NOTE.—The Governor is to mark on the packet the kind of books or documents inclosed, and subscribe this declaration with a designation of his office.

7. All Postmasters, whether their commissions exceed or fall short of \$200 per annum—Restricted to letters and packets rela-

ting exclusively to the business of their offices or of the Post Office Department.

NOTE. They must be marked "Post Office business," and this declaration subscribed by the Postmaster himself, with a designation of his office.

8. Publishers of pamphlets, periodicals, magazines and newspapers not exceeding sixteen ounces in weight, may exchange their publications reciprocally free, and may send their bills for subscriptions to their publications enclosed in them without additional postage—Restricted to one copy each of each publication.

SEC. 217. It is the practice of many to address their hand bills and newspapers in the nature of circulars or hand bills to postmasters, by which means they give them an extensive circulation, free of postage. This is an abuse which must be corrected. In every instance where a postmaster receives a communication, addressed to him as postmaster, which is of a private character, and designed to promote private interests, with an evident intention of giving circulation to it, without paying postage, he will return the same to the person who sent it, under a new envelope, with the charge of letter postage endorsed.

SEC. 218. If the name of the individual franking a letter be known as the handwriting of a person entitled to frank, the letter may be regarded as free, although the style of his office be omitted.

SEC. 219. Postmasters are particularly referred to the provisions of the 28th section of the act of 1825, and the 36th section of the act of 2d July, 1836, relating to the abuses of the franking privilege. A violation of law in this respect should be reported to the Department, and, when sufficient evidence can be obtained, a prosecution for the penalty should be instituted by the postmaster.

SEC. 220. Penalties attach, whenever a person franks a letter from another, unless written on the business of his office, by his order.

SEC. 221. A penalty of three hundred dollars attaches to the Assistant Postmasters General and postmasters, for every false endorsement of a letter or packet.

SEC. 222. If any person shall frank any letter or letters, other than those written by himself, or by his order on the business of his office, he shall, on conviction thereof, pay a fine of ten dollars.—*Act of July 2d, 1836.*

SEC. 223. In prosecuting for the penalties, postmasters will obtain the aid of the District Attorney of the United States, and for that purpose, report to him the circumstances, and the name of the wit-

nesses in each case; and they will cause the proceedings to be instituted in the District Court of the United States, not only against those who abuse their frank, *but also against those who procure it to be done.*

SEC. 224. It is only because the letter is actually, or by construction of law, *from* the person authorized to send it free, that it is exempted from postage. The frank is merely the certificate of the fact that it is so. When, therefore, the circumstances connected with the letter are such as to show that it is *not* from such a person, and that the frank on it is in effect, a false certificate, postmasters will, in such cases, charge the letter with postage. If, however, after the postage shall have been charged and paid on such letter, it shall be ascertained by the postmaster that the letter franked was from the person franking it, the postage shall be refunded, and the proper corrections of the bills be made.

SEC. 225. If any person, having the right to receive his letters free of postage, shall receive, enclosed to him, any letter or packet addressed to a person not having that right, it shall be his duty to return the same to the post office, marking thereon the place from whence it came, that it may be charged with postage.—*Act of 1825, sec. 28.*

SEC. 226. If any person shall counterfeit the hand writing or frank of any person, or cause the same to be done, in order to avoid the payment of postage, each person so offending shall pay, for every such offence, five hundred dollars.—*Act of 1825, sec. 28.*

SEC. 227. No postmaster or other privileged person can authorize his assistant, clerk, or any other person to write his name for the purpose of franking any letter, public or private.

SEC. 228. The personal privilege of franking travels with the person possessing it, and can be exercised in but one place at the same time.

SEC. 229. No postmaster or privileged person can leave his frank behind him upon envelopes to cover his correspondence in his absence.

SEC. 230. If letters or papers be put into a post office bearing the frank of a privileged person who notoriously has not been in that vicinity for several days; or if letters or papers marked free, be received at an office, directed to a privileged person but notoriously intended to be received by some person not privileged, whether acting as the agent of the privileged person, or not, it is the duty of the postmasters to charge them with postage.

SEC. 231. If any letter to or from a privileged person, be put

into, or received at a post office, of greater weight than such person has a right by law to frank, the postmaster will charge the excess with letter postage.

SEC. 232. One half of the penalties collected for the violations of the franking privilege, go to the prosecutor, and the other half to the United States, and are to be paid over, and accounted for, to the Postmaster General. They may be sued for before the circuit and district courts of the United States.

## CHAPTER 31.

### *Accounts and Returns of Postmasters.*

SEC. 233. At the end of every quarter, which is on the last day of March, June, September, and December, every postmaster must make up his accounts, and forward *transcripts* of them to the 3d Assistant Postmaster General. The originals must be filed by him with his general account, and will, like it, be held subject to inspection as provided in *Chapter 35, section 255*.

SEC. 234. In case of death, resignation or removal of a postmaster, or the discontinuance of an office; or in case of the giving of a new official bond in consequence of a change in the name of an office, the expiration of the term for which the postmaster may have been appointed, or otherwise, the accounts must be made up to the day, (though it be not the end of a quarter,) in which the office ceases to operate, or the new appointment, or the new bond, as the case may be, takes effect.

SEC. 235. Many postmasters have been in the habit of forwarding to the department contrary to regulation, their *original accounts*, keeping no duplicate or copy. This violation of rule cannot be permitted or overlooked. *Transcripts or copies only* must be sent, and the original accounts must be carefully preserved for inspection by any agent of the Department who may require it.

SEC. 236. The quarterly account current must be signed by the postmaster himself, unless necessarily absent or sick, in which case it may be signed as follows:

A—— B——, P. M.  
by C—— D——, ass't P. M.

The blank heading of each page is to be filled up with the name of the office, its County, District or Parish, and State.



SEC. 237. The accounts of all postmasters are examined and adjusted by the Auditor as they are received, and the errors, if there be any, are carefully corrected, and the postmaster notified of such as increase by as much as fifty cents, the balance due to the United States.

SEC. 238. Postmasters, therefore, will understand that any alteration in the balances of their accounts is occasioned either by the correction of some numerical error, or by some deviation, on their part, from a strict conformity to the law, and these instructions.

## CHAPTER 32.

### *Failure to Return Quarterly Accounts—Penalties.*

SEC. 239. If any postmaster shall neglect to render his accounts for one month after the time and in the form and manner prescribed by law, and by the Postmaster General's instructions, he shall forfeit double the value of postages which shall have arisen at his office.—*See sec. 32, Act of 1825.*

SEC. 240. The postmaster, though he may have mailed his accounts, will not be considered as discharged from the penalty mentioned in section 239, unless within one month, after being notified that they have not been received at the Department, he transmits duplicate transcripts from the original accounts retained in his possession.

## CHAPTER 33.

### *Papers and Accounts to be Returned to the Post Office Department, by Postmasters.*

SEC. 241. The Quarterly Return is composed of the following accounts and papers, viz:

1. A transcript of the *Account of mails sent* from the office for the quarter. The entries in this account must, of course, be made every post day, before the mail is sent from the office, and at all large offices, it should be transcribed daily.
2. A transcript of the *Account of mails received* at the office for the quarter. At all large offices, the entries in this account should be made daily, and it should be transcribed daily, so as to prevent any delay in making it out at the close of the quarter.
3. A transcript of the *Account of regular Newspapers and Pam-*

*phlets received* at the office during the quarter, to which is to be added the amount of the *Miscellaneous* account as described in Chapter 29.

4. From the post offices where such accounts should be kept, a transcript of the *Account of Ship and Steamboat Letters received* in the quarter, and the moneys paid for them.

5. A transcript of the *Account of Letters sent by sea* from the offices at sea ports.

6. All the *post bills* received from other offices during the quarter.

7. *Accounts and receipts for contingent expenses.*

8. The *Dead letters*, and a bill or bills of them.

9. From Distributing offices, a transcript of the *Account of mails received for Distribution.*

10. The *Account current.*

SEC. 242. Postmasters are *strictly required* to fill the blanks at the head of *each page* of their accounts of mails received and sent, and carefully to add each and every column of said accounts.—They will then recapitulate the amount of each column on a blank page, so as to enable the Auditor to report quarterly the aggregate amount of such columns.

SEC. 243. The commission account and the emolument account, with the vouchers belonging to them—must also accompany the quarterly account of all postmasters whose duty it is to render such accounts.

SEC. 244. To ensure a correct and expeditious settlement of the quarterly accounts of postmasters, it is indispensable that each return should arrive at the Department in one perfect, unbroken bundle or packet. Each postmaster, therefore, should observe the following directions in packing up his return for transmission in the mail, viz :

SEC. 245. Put up each part of the return if large, in a separate parcel, with strong paper, tying it with twine, and writing on each parcel its proper contents, and the name of the office, county, and State. Then pack up all the parcels, constituting the entire quarterly return, in one compact bundle or packet, *and having postmarked it*, direct it plainly to the Third Assistant Postmaster General, Post Office Department.

SEC. 246. No letter, receipt, paper, or other thing whatever, not strictly belonging to the quarterly return, as enumerated and described in this chapter, should be put up in it.

## CHAPTER 34.

*The Account Current.*

SEC. 247. The *Account Current* is numbered to consist of 29 articles:—

In article 1 every postmaster will make himself debtor for the whole amount of postage on the unpaid letters which remained on hand at the close of the preceding quarter.

In article 2 every postmaster will make himself debtor for the whole amount of the postage on all unpaid letters. This article he will find in the first column of *mails received* from other offices.—*See chap. 10, sec. 90.*

In article 3 every postmaster will make himself a debtor for the amount of postage on the way-letters received at his office, for delivery; this he will find in the second column of his *Account of mails received*.—*See chapter 16.*

In article 4 every postmaster will next debit himself with the amount of postage undercharged. This amount he will find in the third column of his *Account of mails received*.—*See chapter 10, section 91.*

In articles 5 and 6 every postmaster will next debit himself with the number and amount of ship and steamboat letters received for delivery. This article he will find in the first column of his *Account of Ship and Steamboat Letters*.—*See chapter 15.*

In article 7 every postmaster will debit himself with the amount of postage *paid in money* on letters sent from his office. This amount he will find in the third column of *mails sent*.—*See chapter 8, section 71.*

Every Postmaster of a distributing post-office will next debit himself with the amount (if any,) of letters for delivery received at his office in distribution bills.

In article 8 every Postmaster will debit himself with the amount of postage on drop letters. This amount he will find in the eighth column of *mails received*.

In article 9, every postmaster will debit himself with the whole amount he has paid during the quarter for advertising letters, and credited as contingent expenses in article 27. This debit and credit operate merely as counter entries. He will mark the cost of advertising on each letter advertised. Upon every letter delivered, he will collect this cost in addition to the postage, and upon those

remaining, sent as dead letters to the Department, he will charge it, and will thus be exactly reimbursed.

In article 10, every postmaster will next credit himself with the amount of postage on letters which have been missent to and forwarded from his office, and the amount overcharged on letters received at his office. This amount he will find in the fourth column of his account of mails received. He will find further observations on this subject in Chap. 10, section 87.

In article 11, every postmaster will credit himself with the amount of postage on unpaid dead letters remaining in his office at the end of the quarter, and on letters refused or which could not be delivered. This credit will include the cost of advertising any letters returned, and its amount will be the aggregate amount of the bill then to be made out, and of bills sent at the end of each of the two previous months of the quarter, of which he has retained duplicates as directed in chapter 26.

In article 12 the amount of postage of unpaid letters on hand at the close of the quarter is now to be entered to his credit. This is a temporary credit, given because the postmaster is already charged with the amount in the debit part of this account. The exact sum of this temporary credit must be entered to his debit in the first article of his next account, whether any of the letters be delivered out or be returned as dead letters or otherwise.

Having added together the sums of the first nine mentioned articles and placed the amount at the foot of the column, and at the foot of the column in the same line opposite, he will then deduct the sum of the articles 10, 11 and 12 from this amount, and the balance will be the amount of letter postage collected by him this quarter.

The balance which has been placed on the credit side of the account as article 13, is now to be entered to his debit as article 14.

In article 15, every Postmaster will next debit himself with the whole amount of postage on the regular newspapers and periodicals which he has received from other offices during the quarter, agreeably to the account thereof described in chapter 29, with the addition of the amount of postages on transient and miscellaneous newspapers and other printed matter, as described in the same chapter.

In article 16, every postmaster will deduct, if entered in the account, the amount of postage on such newspapers as have continued during the quarter to come to the office, after he has given the publishers three months' notice that they are not taken out, agreeably to chapter 28, section 211. He will sell such newspa-

pers, and in article 17, he will charge himself with the amount received therefor.

Postmasters will next add the amount of postages collected on letters and newspapers, represented by articles 14 and 15, and place the amount at the foot of the column, and also at the foot of the column in the same line, opposite.

If the Postmaster has received stamps direct from the Department, or from his predecessor, he will include the balance resulting from articles 18, 19 and 20 in this addition. No other postmasters will have occasion to use these articles.

In article 21 each Postmaster will credit himself with the amount of mail registers returned by him during the quarter.

In article 22, comprehending five different rates, every Postmaster will next cast his commission on the amount of postage collected on letters during the quarter, including the amount prepaid by stamps, to be found in the second column of mails sent. The rate of commissions are recited in chapter 39.

In articles 23 and 24 every postmaster will next cast his commission on the amount of postage collected on newspapers and other printed matter, including the postage on such printed matter prepaid at his office by stamps, at 50 per cent., and enter it in this place.

In article 25, if the commission on letters, newspapers and other printed matter does not exceed \$500 in one quarter, the Postmaster will then set down the number of free letters received by mail for delivery at the office, and carry the amount, at two cents each, to his credit. This number he will find in the ninth column of his *Account of mails received*.

In article 26, the postmaster will next set down the number of ship and steamboat letters which he has paid for this quarter, and enter the amount of such payment. These sums he will find in the second and third columns of his *Account of Ship and Steamboat letters received*.

In article 27, the postmaster will next state the number, and credit himself with the amount paid the mail carrier for way letters. No form is prescribed for keeping this account.—See chapter 16.

In article 28, it now remains for the Postmaster to make out his account of *Contingent Expenses*, if any. Postmasters are required to preserve and use the wrappers and twine which come into their offices upon letters and packets received, as far as they can be again safely used. The articles which may be charged as contingent expenses are, advertising letters and repairs of mail bags. Neither clerk hire, rent, fuel, lights, nor any other article than those

before mentioned, can be allowed by the Department as contingent expenses, nor will any allowance under the head of furniture be made for a desk or letter case for any office, the net postages of which do not amount to \$20 a year.

In the case of a letter received which relates exclusively to the business of the office or the Post Office Department, and is yet rated with postage, the Postmaster is authorized to credit himself with the postage thereon, in article 29, but must return to the Department the original letter as a voucher.

SEC. 248. The postmaster will now strike the balance of the account which should show how much he is indebted to the Department for postages for the given quarter.

SEC. 249. As this Account Current is intended to show the net proceeds of the office for the quarter, no balance due on a former quarter, nor any payment to, or collection for, the Department is to be inserted in it. All vouchers for expenses charged in the quarterly account, or in the Commission or Emolument account, must be transmitted with the said accounts; and if for advertising letters, must state the number of letters. Unreasonable delay not only implies neglect of the public business, but is calculated to bring suspicion upon the claims withheld; and the Department, therefore, reserves to itself the right to reject all such claims made after the quarterly accounts have been adjusted.

SEC. 250. Postmasters who are allowed to charge, among the contingent expenses, advertisements of the arrivals and departures of the mails, will limit such charge to an advertisement of three weeks only—once each week.

SEC. 251. Besides the printer's account, and receipt for advertising letters, the newspaper containing the advertisement must be transmitted therewith.

## CHAPTER 35.

### *General Account.*

SEC. 252. Every postmaster will keep in his office a *General or Leger Account with the United States, for the service of the Post Office Department*, subject to the inspection of the Postmaster General, or of any general or special agent of the Department, and a copy of which is to be furnished to the Auditor, from time to time, when required.

SEC. 253. In the general account, every postmaster will credit

the United States with the balances due on his quarterly returns as acknowledged, and when notified by the Auditor of any corrections made on examination thereof, he will make the corresponding corrections in the general account, or enter the proper credit therefor.

SEC. 254. The postmaster will likewise credit all sums collected by, or deposited with him, on account of the Department, and will debit the account with all sums paid over for the general service of the Department, whether by deposite, upon draft, or upon collection order. A draft office may be required to deposite, or to pay on a collection order, or a collection office to deposite or to pay on a draft.

SEC. 255. The duplicate quarterly accounts, the duplicate certificates of deposite, the duplicate collection orders and the drafts paid, and also all instructions are to be filed as vouchers with this account, and be subject to inspection.

SEC. 256. The postmaster, upon being furnished with a statement of his general account as kept by the Auditor, will immediately compare it with his account as kept by himself, and at once acknowledge to the Auditor the balance appearing on such statement, or point out the particulars wherein the accounts disagree.

## CHAPTER 36.

### *Collection of Debts.*

SEC. 257. The collection of debts due to the Post Office Department, whether by postmasters, contractors, or other persons, is assigned by the act of July, 1836, to the Auditor of the Treasury for the Post Office Department.

SEC. 258. When such debts, if collected, would over-pay the contractor for the route, on or near which the debtor resides, or when for other reasons, the Auditor finds it more convenient to employ a postmaster in the vicinity, the latter will consider himself as a special agent of the Department for this purpose, and will obey such orders as he may receive from the Auditor in respect to such collection. If the debt is collected, the postmaster will give notice to the Auditor, by transmitting his receipt for its amount, and will credit the same in his general account with the United States, for the service of the Post Office Department.

SEC. 259. If the exertions of the postmaster to collect prove unavailing, he will communicate to the Auditor the causes of the failure, and also the pecuniary circumstances of the parties, if

alive, or of their estates, and the name of their administrators, if dead.

SEC. 260. If due diligence be not used in making the collection, or if, being unsuccessful, any postmaster fail to return the draft or demand to the Auditor, or otherwise to give notice of such failure, or fail to give any information required in relation to the same, such neglect and want of fidelity will amount to a breach of the condition of his bond for which the damages will be recoverable; and will moreover be considered just ground of removal from office.

## CHAPTER 37.

### *Paying over money to the use, or for the service of the Post Office Department.*

SEC 261. No moneys are to be paid directly into the Department, neither are any paid out directly by it. The proceeds of postage, therefore, will never be remitted by postmasters to the Department, nor be paid to any of its officers or agents, without due authority from the Postmaster General.

SEC. 262. For the purpose of paying over the funds of the Department, all the Post Offices, except Special Offices, are classed either as Deposit Offices, Draft Offices, or Collection Offices. Offices are transferred from time to time from one to another of these classes, to suit the convenience of the service, and when such changes are necessary, they are notified to the postmasters, respectively, by a circular letter.

SEC. 263. Deposit offices are such as are ordered to place, quarterly or oftener, their funds in deposit in some Depository.

SEC. 264. Draft Offices are those which are ordered to retain their funds in hand, to meet drafts drawn by the Postmaster General, and countersigned by the Auditor of the Post Office Department.

SEC. 265. Collection offices are those which are required to pay over their net proceeds quarterly to the mail contractor named in their special instructions, upon the production by him, from time to time, of the proper orders and receipts sent to him by the Department. *In these quarterly payments must be included all moneys received for postage stamps sold.*

SEC. 266. Certain postmasters are designated as depositaries of the funds of the offices in their vicinity, and the postmasters at such offices are ordered to deposit quarterly with them.



SEC. 267. A failure, either to deposit according to instructions, or to pay a draft when presented, or to pay over to a contractor, upon the production of the proper collection orders and receipts, will be followed by the removal of the delinquent postmaster from office, unless satisfactorily explained to the Postmaster General.

SEC. 268. Postmasters at draft offices will transmit summary reports to the Department of the moneys received, as they may be directed.

SEC. 269. Want of funds can never be an excuse for failing to pay, or to deposite; as the postmaster is not authorized to give credit for postages, which are regarded as cash in his hands. In like manner he is prohibited from using, loaning, investing, depositing in bank, or exchanging moneys received for postages, on pain of criminal prosecution.—*Act of 1841, sec. 2, and act of 6th August, 1846, sec. 16.*

SEC. 270. A postmaster cannot refuse to pay a draft or collecting order, because the contractor is indebted to him, nor because there is an unsettled private account between them, nor upon any other pretext; but such refusal is made, by the law, *prima facie* evidence of embezzlement, subjecting him to punishment.—*Act of 1841, sec. 2, and act of 6th August, 1846, sec. 16.*

SEC. 271. Every postmaster under orders to place his funds in a depository, will take duplicate certificates of each deposite, signed by the proper officer, one of which should be transmitted to the Third Assistant Postmaster General by the first mail thereafter, as the postmaster will not be entitled to a credit until the reception of the certificate at the Department.

SEC. 272. The deposite should include the whole amount due, whether for postage at the office, or for collections or deposits made with the postmaster on account of the Department or otherwise.

SEC. 273. Postmasters at collection offices must be ready to pay over at the end of each quarter, and will transmit the contractor's receipt by the very first mail after payment is made. Such payments must include the whole amount on hand, whether arising from the postages of the quarter, or any preceding quarters, all errors being corrected—or from moneys collected by, or deposited with the postmaster. The receipts must never be put up with the quarterly return, but should be sent under a separate envelope, addressed to the Auditor, for the Post Office Department.

SEC. 274. Every Postmaster of a "special office," will report to

the Postmaster General, at the end of each quarter, the balance in his hands, over and above the sums due the contractor for supplying his office with the mail, in order that the Department may make a proper disposition of such balance.

SEC. 275. Postmasters at "special offices," when under orders to pay their respective contractors, will not only pay promptly, but lose no time in transmitting to the Auditor for the Post Office Department the receipts taken for their quarterly payments.

SEC. 276. All payments to the Department, whether upon drafts, or otherwise, must be in specie; and postmasters, in receiving payment of postages, or other dues to the Department, should always bear in mind that they are bound to pay them over in the legal currency of the United States.

SEC. 277. No allowance can be made to a postmaster for deficiency in weight of money received for postage. Neither can any allowance or remuneration be made for losses by fire, robbery, or theft, nor can compensation be made for collecting or paying over moneys to the Department, not arising from postages at his office.

## CHAPTER 38.

### *Applications for Payment and Renewal of Lost Drafts or Warrants.*

SEC. 278. In all cases where application is made for the issue of a duplicate draft or warrant, upon the allegation that the original is lost, every such application must be addressed to the Auditor for the Post Office Department, and must be accompanied by a statement, on oath or affirmation, by the applicant, or the person who is the legal holder thereof, showing the time, place, and all the circumstances attending the loss or destruction of the draft or warrant, with its number, date, and amount; in whose favor it was issued; and if assigned, to whom made payable; together with any other particulars relating to it within the knowledge of the applicant.

SEC. 279. The applicant must also produce a letter or certificate from the officer or person on whom the draft or warrant may have been drawn, showing that it has not been paid—also that payment of the same will not thereafter be made to the owner, or any other person whatever.

SEC. 280. The duplicate, when issued, shall have the same tenor, force, and effect as the original, unless in case of assignment, the

assignee of the lost draft produce due authority from the drawee for the issue of the duplicate in his own favor.

## CHAPTER 39.

### *Emoluments of Postmasters.*

SEC. 281. The commissions, allowances, and emoluments of postmasters for their compensation and expenses are limited by law.—*See Act of 1825, sec. 14; Act of 1842, sec. 2; Act of March 1, 1847; Act of March 3, 1847; Act of May 17, 1848, sec. 1; and Act of March 3, 1851.* They are as follows, viz :

1. On the amount of letter postage not exceeding \$100 in any one quarter, 40 per cent.

2. On any sum between \$100 and \$400 in any one quarter, 33½ per cent.

3. On any sum between \$400 and \$2,400 in any one quarter, 30 per cent.

4. On any sum over \$2,400 in any one quarter, 12½ per cent.

5. On the amount of letters and packets received for distribution at offices designated by the Postmaster General for that purpose, 7 per cent.

6. Two cents for every free letter (those addressed to the postmaster excepted) which he receives by post and delivers; unless his commissions, otherwise, amount to \$500 in the same quarter. This allowance is not to be made on speeches and other printed matter which is franked, but on letters only.

7. On all sums arising from the postage on newspapers and other printed matter, 50 per cent.

SEC. 282. For any period less than a quarter, the higher rates of commission will be allowed on such amounts, in lieu of the several amounts limited, as are in due proportion to such period.

SEC. 283. When night service is performed by a postmaster, 10 per cent. additional will be allowed on the first one hundred dollars received in a quarter, or in proportion for a fraction of a quarter provided he transmits with his quarterly return, his certificate, according to the facts, in one or the other of the following forms, viz :—

POST OFFICE at \_\_\_\_\_ }  
185 }

I certify that my office is at the end of route No. \_\_\_\_\_, and that by the schedule for said route, the mail is regularly to arrive,

and does arrive at the same, between the hours of 9 in the evening and 5 in the morning.

P. M.

POST OFFICE at \_\_\_\_\_, }  
185 . }

I certify that my office is an intermediate office on route No. \_\_\_\_\_, and that by the schedule for said route, allowing for distance, the mail is regularly to arrive, and does arrive at the same, between the hours of 9 in the evening and 5 in the morning.

P. M.

SEC. 284. For every monthly register of the arrival and departure of the mails, which a postmaster may be required to transmit, and which he does transmit to the Department—or for as many weekly registers on routes for which such registers are kept, as embrace the period of a month, ten cents is allowed.—*See act of 1825, sec. 14.*

SEC. 285. Every postmaster whose commissions and allowances together, as charged in any quarterly account, exceed \$500 in amount, will render with such quarterly account, an account to be called the *Commission Account*—stating on one side, the amount of said commissions and allowances; and on the other, his own compensation for the quarter, as limited by law, and the incidental expenses of his office necessarily and actually incurred for said quarter. The charges for incidental expenses must be accompanied by the proper vouchers and receipts, and must specify distinctly the several objects thereof—as rent, fuel, light, stationary, &c., and the names, ages, sex and rate of compensation and time paid for, of each and every person employed as assistant or clerk. If the amount of the said commissions and allowances fall short of the amount of the said compensation and expenses, the postmaster has no claim on the United States for the deficiency. If the amount exceed such compensation and expenses, the postmaster will add the excess to the balance to be acknowledged by him as due the United States on his quarterly return for the same quarter.—*Act of 1825, sec. 41.*

SEC. 286. The annual compensation to which postmasters are limited will be computed for the fiscal year commencing the 1st of July, and ending the 30th of June, and in due proportion for any period less than a year.—*Act of March 1, 1847.*

SEC. 287. The postmaster of New York, Boston, Philadelphia,

Baltimore, New Orleans, and every other city of the Union, will, severally, at the end of each quarter, with his quarterly account, render an account under oath, to be called the *Emolument Account*, of all other profits or emoluments by him received during said quarter, stating on one side of said account the full amount of profits or emoluments, with the several sources from which they are derived, whether from box rent, branch offices, or otherwise; and on the other side, the expenses incident to the same necessarily and actually incurred, accompanied by the proper vouchers. And after deducting said necessary expenses, the postmaster will add any balance of said account, over and above the rate of two thousand dollars per annum, to the credit of his commission account for the same quarter as mentioned in the preceding section, to be applied to the objects and be subject to the limitations thereof.

## CHAPTER 40.

### *Attention to the Manner of Carrying the Mails.*

SEC. 288. Every postmaster will consider himself the agent of the Department, in regard to its affairs in his immediate vicinity, so far as to carefully observe, and promptly report to it, everything tending to affect its interests, efficiency and utility.

SEC. 289. It is especially expected that he will keep a vigilant eye upon the manner in which the mails are carried to and from his office. This is amongst the most important of his duties.

SEC. 290. Postmasters will report every instance in which the mail is brought to his office by a person under the age of sixteen years, or who has not been duly sworn.

SEC. 291. If a mail-carrier, having the mail in charge, become intoxicated, he will instantly dismiss him, employ another at the expense of the contractor, and report the facts to the Department.

SEC. 292. He will report promptly all irregularities of mail-carriers, in charge of the mail, and the causes, when known.

SEC. 293. If the mail arrive without a lock, he will ascertain where the fault is, and report it to the Department.

SEC. 294. If the mail be carried on horseback, he will see that it be covered with an oil-cloth or bearskin: If in a stage, that it be carried in a secure dry boot under the driver's feet, or in the box which constitutes the driver's seat: If in a sulky or other vehicle, he will see that it be well protected from the weather.

SEC. 295. He will also carefully observe how mails are carried by any steamers landing near his office, and will report to the

Inspection Office every case in which he finds them exposed on deck, or not secured in some proper place under lock and key.

SEC. 296. When the newspaper mail, on a stage route, is large, and separate from the letter mail, it may be carried in the boot behind the stage, but it must not be exposed to the weather.

SEC. 297. Postmasters will report all instances in which the mails are carried without being secured from the weather, as above directed.

SEC. 298. Contractors are required, in all cases, to carry the entire mail. Postmasters will never permit them to leave any part of it.

SEC. 299. Neither are contractors permitted to leave bags of newspapers and pamphlets at places on their routes. Postmasters will report every case of this kind that may occur.

SEC. 300. When the mail stops over night where there is a post-office, it must be kept in the office.

## CHAPTER 41.

### *Report of the Arrivals and Departures of the Mails to be made by Postmasters.*

SEC. 301. Postmasters at the ends of every mail route, and such others as the Postmaster General may direct, will keep registers of the arrival and departure of all mails which are opened at their offices, respectively, setting forth the exact time of each arrival and each departure, and the manner of the conveyance when it varies from the contract, and giving the reasons for every delinquency or failure to arrive at the time prescribed in the schedules, if known to them, or can be ascertained by them on proper inquiry.

SEC. 302. Postmasters at the ends of routes on which the mails are carried less than six times a week, will forward the Register to the Department at the close of every month.

SEC. 303. Postmasters at the ends of all routes on which the mails are carried six times a week or more, will return these Registers at the close of each week, unless otherwise specially directed.

SEC. 304. Whenever the mail is carried by any other person than the contractor or his authorized agent or carrier, the fact is to be noted on the Register.

SEC. 305. Besides these stated tabular reports, postmasters at the ends of routes and also at intermediate points will promptly report by letter, all extraordinary failures, interruptions or abandon-

ment of routes; and in fact give from time to time, all such information as may aid the Department in enforcing the strictest performance of duty on the part of contractors and securing for the community the greatest possible regularity, safety and efficiency in the mail service.

SEC. 306. Special reports, and all complaints of mail failures should state *the number*, or, if the number is not known, the *termini* of the route.

SEC. 307. Particular care must be exercised in the making out of all registers of arrivals and departures of the mails. The blanks at the head of each should all be properly filled—giving the name, county and State of the office, the number of the route, and the names of the places where it terminates, with the contract days and hours of arrival and departure. All registers should be *fully dated*—showing the day of the *week*, the *month* and the *year*. When there is a failure to arrive or depart, write opposite to its date “*Failure* ;” when a failure to connect, write “*Failed to Connect* ;” and when a complaint for failure to arrive in time, write “*Complaint*.”

## CHAPTER 42.

### *Failures of Mails.*

SEC. 308. Failures of mails to arrive at the ends of routes and other points within contract time, cannot but be known in all cases to contractors or their agents.

SEC. 309. No notice, therefore, is necessary to be given to contractors of failures to arrive in any post office in contract time, as reported by postmasters to the Department, but when the failure is caused by the neglect of a carrier employed by the contractor, the postmaster will notify the contractor of the failure and require him to take measures to prevent its recurrence.

SEC. 310. Should a mail at any time fail to arrive at the end of a route or at any intermediate post office, where the time of arrival is fixed, within the time specified in the contract or schedule, it will be expected of every contractor immediately, by himself or agent, to send his excuse to the Inspection Office, setting forth, *particularly*, the cause of the failure; and if, after waiting a reasonable time, no specific and satisfactory excuse be received, the Chief Clerk is directed to present the case thus reported to the Postmaster General for fine.

SEC. 311. A specific excuse is required for each specific delinquency of any contractor; so that general allegations will not be

admitted. If bad roads be alleged, a specific report must be made of what portion of the road was so bad as to obstruct the mails, and what was its peculiar condition; if high waters, it must be shown what water-courses were impassible; and so of all other excuses.

## CHAPTER 43.

### *Forfeitures and Fines.*

SEC. 312. In all cases there is to be a forfeiture of the pay of the trip when the trip is not run; and of not more than three times the pay of the trip when the trip is not run, and no sufficient excuse for the failure is furnished, a forfeiture of at least one-fourth part of it when the running or arrival is so far behind time as to lose the connexion with a depending mail; and a forfeiture of a due proportion of it when a grade of service is rendered inferior to that in the contract. These forfeitures may be increased into penalties of higher amount, according to the nature or frequency of the failures and the importance of the mail.

SEC. 313. Whenever it be satisfactorily shown that the contractors, their carriers, or agents, have left or put aside the mail, or any portion of it, for the accommodation of passengers, they shall forfeit not exceeding a quarter's pay.

SEC. 314. Fines will be imposed unless the delinquency be satisfactorily explained in due time, for failing to take from, or deliver at, a post office, the mail or any part of it: for suffering it to be wet, injured, lost, or destroyed: for conveying it in a place or manner that exposes it to depredation, loss, or injury; for refusing after demand to convey a mail by any coach, railroad car, or steamboat, which the contractor regularly runs, or is concerned in running, on the route, beyond the specified number of trips in the contract, and for not arriving at the time set: and for setting up or running an express to transmit commercial intelligence in advance of the mail, a penalty will be exacted equal to a quarter's pay.

SEC. 315. The Postmaster General may annul the contract for repeated failures; for violating the post office laws; for disobeying the instructions of the Department; for refusing to discharge a carrier when required by the Department; for assigning the contract without the consent of the Postmaster General, or for setting up or running an express as aforesaid, or for transporting persons conveying mail matter out of the mail.

SEC. 316. The Postmaster General may alter the contract, and alter the schedule, he allowing a pro rata increase of compensation,



within the restrictions imposed by law, for the additional service required, or for the increased speed, if the employment of additional stock or carriers is rendered necessary; but the contractor may, in the case of increased expedition, relinquish the contract on timely notice, if he prefer it to the change.

SEC. 317. The Postmaster General may annul the contract, or discontinue, or curtail the service and pay, when he wishes to dispense with the service, in whole or in part, or to place a higher or different grade of service on the route, or whenever the public interests require such discontinuance or curtailment for any other cause, he allowing one month's extra pay on the amount of service dispensed with.

## CHAPTER 44.

### *Penalties.*

SEC. 318. Every postmaster will give his particular attention to the following enumeration of crimes and offences against the Post Office Department. He will diligently inquire, within his delivery, into the commission of any of the acts or doings therein prohibited, and for proof sufficient to sustain a prosecution for any such offences. In most cases these penalties may be sued for by actions *qui tam*, in which cases one-half the penalty will accrue to the United States and one-half to the person who prosecutes. In all cases, in which expense may be incurred by the United States, unless there be occasion for immediate proceedings, he will first report the facts to the Department.

1. Members of Congress for entering into contract with the United States, \$3000.—*See Act of April 21, 1808, sec. 1.*

2. Officer of Government for making such contract, \$3000.—*See Act of April 21, 1808, sec. 4.*

3. Master of steamboat failing to deliver letters into post office, \$100.—*See Act of March 3, 1825, sec. 6.*

4. Any person on board failing to deliver letters to the captain, \$10.—*Ibid.*

5. Contractors employing any other than a free white person to carry the mail, \$20.—*See Act of March 3, 1825, sec. 4.*

6. For obstructing or retarding the mail, \$100.—*See Act of March 3, 1825, sec. 9.*

7. Ferryman delaying the mail for ten minutes, \$10.—*Ibid.*

8. Postmaster fraudulently demanding illegal postage, gratuity, or reward, \$100.—*See Act of March 3, 1825, sec. 16.*

9. Master of ship failing to deliver letters into post office before breaking bulk, \$100.—*See Act of March 3, 1825, sec. 17.*

10. Agent of the Department unlawfully detaining or opening any letter or bag, or secreting, embezzling, or destroying letter, \$300 and imprisonment.—*See Act of March 3, 1825, sec. 21.*

11. If containing articles of value, or stealing therefrom, imprisonment.—*Ibid.*

12. Quitting or deserting the mails, \$500.—*Ibid.*

13. Any person carrying the mail to carry letters out of the mail, \$50.—*Ibid.*

14. To rob carrier, imprisonment.—*Ibid. sec. 22.*

15. Second conviction, death.—*Ibid.*

16. In effecting robbery, to put carrier's life in jeopardy, death.—*Ibid.*

17. Attempting to rob with dangerous weapons, imprisonment.—*See Act of March 3, 1825, sec. 22.*

18. Stealing or taking mail containing articles of value, imprisonment.—*Ibid.*

19. Obtaining such mail by fraud or deception, imprisonment.—*See Act of March 3, 1825, sec. 22.*

20. Obtaining any other letters to obstruct correspondence or pry into it, \$500.—*Ibid.*

21. To rip, cut or burn any mail bag, draw any lock or loose any staple, from \$100 to \$500, imprisonment.—*Ibid. sec. 23.*

22. Aiders and abettors, subject to same penalties.—*See Act of March 3, 1825, sec. 24.*

23. To frank a letter not written by the party or by his order on the business of his office, \$10.—*See act of March 3, 1825, sec. 28.*

24. To counterfeit hand writing of a frank, \$500.—*Ibid.*

25. Any officer of Department to delay newspapers or open any packet not addressed to his office, \$50.—*See Act of March 3, 1825, sec. 30.*

26. Opening newspapers by a person not addressed or authorised, \$20.—*Ibid.*

27. Stealing newspapers, imprisonment.—*Ibid.*

28. Enclosing letter or memorandum in newspaper or writing thereon, \$5.—*Ibid.*

29. Postmaster failing to render return, double postages.—*See Act of March 3, 1825, sec. 32.*

30. Postmaster or assistant acting as agent in respect to lotteries or lottery tickets or franking schemes, &c., \$50.—*See Act of March 2, 1827, sec. 6.*

31. Persons employed in the Department or postmasters, being interested in a contract, to pay so much as would have been realized from the contract.—*See Act of July 2, 1836, sec. 26.*

32. Accepted bidders failing to execute contract, to pay the difference between that and the new contract.—*See Act of July 2, 1836, sec. 27.*

33. Postmaster detaining any letter or newspaper or giving a preference on their transmission, \$500.—*See Act of July 2, 1836, sec. 32.*

34. Accessory after the fact of stealing or taking the mail, \$1000 and imprisonment.—*See Act of July 2, 1836, sec. 38.*

35. For carrying letters, newspapers or price current on board mail packets running to and from foreign countries, \$500.—*See act of March 3, 1845, sec. 4.*

36. To counterfeit postage stamps of the United States or any other government, imprisonment.—*See Act of March 3, 1845, sec. 5.*

37. Assistant Postmaster General for false endorsement of official letters, \$300.—*Ibid., sec. 6.*

38. Postmasters for the same, \$300.—*Ibid.*

39. Private express conveying any letter or packet of letters, \$150.—*Ibid., sec. 9.*

40. Owner of stage, railroad car, steamboat, or other vehicle, carrying letters or packets out of the mail, \$100.—*Ibid., sec. 10.*

41. Driver, captain, or conductor for same, \$50.—*Ibid.*

42. Carrying persons employed as private expresses, \$150.—*Ibid.*

43. Sending letters and packets by express, or other unlawful means, \$50.—*Ibid., sec. 12.*

44. Officer using, loaning, investing, exchanging, or depositing in bank, or presenting voucher or receipt not properly paid. Fine equal to amount embezzled and imprisonment.—*See Act of Aug. 6, 1842, sec. 16.*

45. Disbursing officer making payment in other than gold and silver or treasury notes, to be reported to the President, or to Congress, if in session.—*Ibid., sec. 19.*

46. Disbursing officer exchanging funds, to be suspended from duty, and reported to the President.—*Ibid., sec. 20.*

47. Officer selling draft for premium, and not crediting the United States, to be dismissed.—*Ibid., sec. 21.*

48. Making or uttering postage stamps, same penalty as in the twenty-first section of Act of 3d March, 1825—*See Act of March 3, 1847, sec. 11.*

49. Inclosing two or more letters directed to different persons in the same envelope, \$10.—*Ibid.*, sec. 13.

50. To counterfeit, or forge, and circulate any postage stamps, issued under this or any former act, fine \$500 and imprisonment of 5 years.—*See Act of March 3, 1851, sec. 3.*

51. To use or attempt to use any postage stamps which have been before used, \$50.—*Ibid.* sec. 4.

## CHAPTER 45.

SEC. 319. Blanks for accounts, post-bills, &c., will be furnished to postmasters in their respective districts, from the following depots :

### DISTRICT No. 1.

*Depot at Post Office, New York City.*

Postmasters in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, California, and Oregon, will apply to the "*Postmaster at New York, N. Y.*"

### DISTRICT No. 2.

*Depot at Washington City, D. C.*

Postmasters in the District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Alabama, and Florida, will apply to the "*First Assistant Postmaster General, Washington, D. C.*"

### DISTRICT No. 3.

*Depot at Cincinnati, Ohio.*

Postmasters in Mississippi, Louisiana, Arkansas, Missouri, Kentucky, Tennessee, Texas, New Mexico, and Utah, will apply to the "*Postmaster at Cincinnati, Ohio.*"

### DISTRICT No. 4.

*Depot at Buffalo, New York.*

Postmasters in Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, and Minnesota, will apply to the "*Postmaster at Buffalo, New York.*"

It is desirable that these instructions should be observed, and their directions strictly attended to, which will prevent the delay and inconvenience which so frequently arise from postmasters applying for blanks at the wrong place.

SEC. 320. When the postages collected at an office amount to \$300 a year, the name of the postmaster will be printed on the post-bills.

## CHAPTER 46.

### *Office Stamps, Mail Locks and Keys, and Letter Balances.*

SEC. 321. Marking and rating stamps of metal are furnished only to offices that collect in postages \$300 a year; but stamps made of wood are furnished to offices collecting in postages \$200 per year. Application for these stamps should be made to the Appointment Office. If procured elsewhere by postmasters themselves, it must be done at their own expense.

SEC. 322. Letter balances, upon the like application, are furnished to offices which collect in postages \$75 a year.

SEC. 323. Locks and keys are furnished, when wanted, upon application to the Inspection Office, addressed to the "CHIEF CLERK." These applications, and all other official statements addressed to the Inspection Office, should be signed by the postmaster only, except in case of sickness or unavoidable absence, when they may be signed by an assistant.

SEC. 324. Postmasters at the principal offices are supplied with several locks, in order that they may be used when extra mail bags are forwarded. In such cases, they should see that the locks and mail bags are returned, and report any postmaster who shall unnecessarily detain them.

SEC. 325. The mail key should be kept with great care. It should never be carried out of the office, but be secured therein, under lock, and accessible only to the postmaster and his assistant. It will be deemed highly reprehensible in any postmaster to lose the mail key.

SEC. 326. Application for mail keys should be made directly to the Inspection Office, and should state the reason why a new key is wanted. If one be lost or broken, its place may be supplied by borrowing from an adjacent office, until another is furnished by the Inspection Office, when the borrowed key must be returned.

SEC. 327. In case a key is lost or broken, the chain or strap of

the mail bag ought not to be cut, but the fact should be notified to the next postmaster, who should be requested to take out the packets addressed to his office, and send them out of the mail, until a new key be obtained.

SEC. 328. Every postmaster, in cases where the mail arrives at his office without a lock upon the bag, should procure a common pad lock, and lock up the mail therewith, the key of which to be sealed up, and delivered to the carrier, and addressed to the next postmaster on the route.

SEC. 329. Whenever a lock shall be broken, or otherwise become unfit for use, it must in every case, be immediately returned by mail to the Inspection Office.

SEC. 330. When an application for a new key is made to supply the place of a broken key, all the parts of the broken key should be returned to the Inspection Office.

## CHAPTER 47.

### *Mail Pouches and Mail Bags.*

SEC. 331. All communications relating to portmanteaus, mail pouches and mail bags, should be addressed to the "CHIEF CLERK, POST OFFICE DEPARTMENT."

SEC. 332. When a postmaster at the end of a route discovers a mail bag to be out of order, he will immediately have it repaired, and charge the amount in his account of contingent expenses, and send a receipt therefor. But if it be so unsound as that the mail will not be secure in it until it gets to the end of the route, the postmaster who first discovers its condition will have it repaired, even though it should detain the mail.

SEC. 333. Mails of letters and newspapers, before being put into the mail bag, are to be placed in separate linen or light canvass bags, where such bags are used; and whenever these bags are worn out, or lost, the postmasters at the ends of routes will apply to the Inspection Office for such bags as may be necessary for the transportation of the mail.

SEC. 334. All mail bags not in use should be immediately returned to the office from which they were sent. Postmasters who send extra bags should see that they are returned; this they can do by writing to the postmasters who retain them. If they be not returned, the facts should be reported to the Inspection Office.

SEC. 335. A sufficient number of mail bags should be retained

at distributing offices, and at offices where the parts of a large mail are separated for several routes, to send the mail matter for all such routes.

SEC. 336. When a new mail bag is wanted, application must be made to the Inspection Office, describing the size and the number of the route on which it is to be used. No allowance will be made to postmasters or contractors for mail bags procured by them, without special instructions from the Department.

SEC. 337. Postmasters whose offices are mail bag depots, may furnish mail bags in cases of great emergency, in which cases, they will make a report to the Department, stating the kind of bag, and the number of the route upon which it is placed. The established depots from which quarterly returns must be made to the Inspection Office of the number and description of mail bags and mail locks, are as follows :

Portland and Bangor, Maine ; Portsmouth and Concord, New Hampshire ; Montpelier and Bennington, Vermont ; Boston, Massachusetts ; Providence, Rhode Island ; Hartford, Connecticut ; New York City, Albany, Rochester and Buffalo, New York ; Trenton, New Jersey ; Philadelphia, Harrisburg and Pittsburg, Pennsylvania ; Baltimore, Maryland ; Washington, District of Columbia ; Richmond, Wheeling and Abingdon, Virginia ; Raleigh and Asheville, North Carolina ; Charleston and Columbia, South Carolina ; Augusta, Savannah and Columbus, Georgia ; Tallahassee, Florida ; Mobile, Tuscaloosa and Huntsville, Alabama ; Jackson and Natchez, Mississippi ; New Orleans, Louisiana ; Little Rock, Arkansas ; Knoxville, Nashville and Memphis, Tennessee ; Louisville and Maysville, Kentucky ; Columbus, Cincinnati and Cleveland, Ohio ; Detroit, Michigan ; Indianapolis and Vincennes, Indiana ; Springfield, Galena and Chicago, Illinois ; Jefferson City and Liberty, Missouri ; Madison, Wisconsin ; Iowa City, Iowa ; Galveston, Texas ; San Francisco, California ; and Astoria in Oregon.

These returns, one for mail bags and another for locks, must be transmitted immediately upon the close of each fiscal quarter. They must show : 1st, the number and description of the respective articles on hand at the beginning of the quarter ; 2d, the number and description received and distributed during the quarter ; and 3d, the residue remaining on hand at its termination.

## CHAPTER 48.

*Forwarding and receiving foreign Mails.*

SEC. 338. For the mails to and from Europe, and countries beyond, the proper offices of despatch and receipt are *New York* and *Boston*. Under the postal treaty between the United States and Great Britain, the exchange of mails is as follows, viz :

Between London and Boston, by way of Liverpool and Boston direct, and also by way of Liverpool and New York.

Between London and New York, by way of Liverpool and New York direct, and also by way of Liverpool and Boston.

Between Liverpool and Boston direct, and also by way of New York.

Between Liverpool and New York direct, and also by way of Boston.

Between London and New York, by way of Southampton.

Between Southampton and New York direct.

SEC. 339. For the mails to and from Southampton, in England, Havre, in France, and Bremen, in Germany, (by the Bremen and Havre lines of United States mail steamships,) *New York* is the regular office of despatch and receipt.

SEC. 340. For the mails to and from the West Indies, Mexico, foreign ports or points in the Gulf of Mexico, and places on the Atlantic and Pacific coasts of South America, *New York*, *Charleston*, *Savannah*, *New Orleans*, *San Francisco*, *Monterey* and *San Diego* are the offices of despatch and receipt. The mails for the South Pacific are sent by the offices last named, in sealed bags to the United States Consul at Panama; and those for the other foreign places named in this section, are sent by the same offices in sealed bags to the United States Consul at Kingston, Jamaica, through the agency of the United States Consul at Havana.

SEC. 341. Under the United States and Canada postal arrangement, the following are the exchange offices, viz :

<i>On the side of the U. States, at</i>			<i>On the side of Canada, at</i>		
Sault St. Mary,	-	Mich.	Sault St. Mary,		
Port Huron,	-	do.	Port Sarnia,		
Detroit,	-	do.	Windsor,		
			Toronto,		
Buffalo,	-	N. Y.	Hamilton,	} By through bags.	
			Queenston,		
Black Rock,	-	do.	Waterloo,		



<i>On the side of the U. States, at</i>			<i>On the side of Canada, at</i>	
Lewiston,	-	N. Y.	Queenston,	
Youngstown,	-	do.	Niagara,	
Rochester,	-	do.	Coburg, by steamer in summer.	
Cape Vincent,	-	do.	Kingston,	
Sacketts' Harbor,	-	do.	} Kingston,	do.
Oswego,	-	do.		
Morristown,	-	do.	Brockville,	
Ogdensburgh,	-	do.	Prescott,	
Fort Covington,	-	do.	Dundee,	
White Hall,	-	do.	} St. John's,	
Plattsburgh,	-	do.		
Rouse's Point,	-	do.		
Burlington,	-	Vt.		
Derby Line,	-	do.	Stanstead,	
Swanton,	-	do.	Phillipsburg,	
Albany,	-	N. Y.	} Toronto,	} By through bags.
New York,	-	do.		
Boston,	-	Mass.		
			Montreal,	

SEC. 342. Under the postal arrangement between the United States and New Brunswick, Cape Breton, Nova Scotia, and Newfoundland, the following are the offices of exchange, viz:

<i>On the side of the U. States, at</i>			<i>On the side of New Brunswick, &amp;c., at</i>		
Robbinston,	-	Maine.	St. Andrew's,	-	N. B.
Calais,	-	do.	St. Stephen's,	-	do.
Houlton,	-	do.	Woodstock,	-	do.

SEC. 343. Under these arrangements with Canada and New Brunswick, the respective United States exchange offices are required to stamp "U. States" on all letters sent into any of the British North American Provinces, as above; and to mark all *paid letters* received from the said provinces with the word "PAID" and the full amount of the United States and provincial postage paid thereon, both *in red ink*, and to mark all the *unpaid letters* from said provinces in *black ink*, with the full amount of the United States and provincial postages due thereon. They are also to post-bill in due form (blanks being specially prepared for the purpose) and to keep an account of these mails *separately* from their ordinary returns, which accounts they are to transmit monthly to the Auditor for the Post Office Department.

SEC. 344. Postmasters will be allowed a compensation of seven per cent. on the postages of letters, &c., received from the British

Provinces and distributed in the United States, and a commission of three and a half per cent. on letters, &c., sent into those Provinces from the United States.

SEC. 345. For the mails to and from any places beyond sea, to which regular contract lines are not established, as hereinbefore stated, all offices at sea ports in the United States, to and from which merchant ships sail to such places, are offices of despatch.

SEC. 346. On letters intended to be sent by private ship, inland postage must be pre-paid to the office at the port of departure. Letters so received, together with those dropped into the office, are to be marked with the name of the office and the time of reception.

SEC. 347. As soon as the postmaster finds that a vessel is ready to sail, which will be convenient to carry letters to the place of their destination, he will carefully examine all such letters, and see that there are none among them destined to another place. He will then count them, and enter their number in a bill. If there be few letters, and no bag for them furnished by the master of the vessel, they may be made into a bundle like a common mail, taking care to enclose the certificate with them, and sealing the wrapper with the office seal. If a bag be furnished, the string is to be sealed with the office seal. And if there be many letters, and no bag furnished by the master of the vessel, the postmaster will furnish one, and charge it to the Department.

SEC. 348. The postmaster will obtain from the master of any private ship bringing letters or packets, a certificate, specifying the number, with the name of the ship or vessel, and place from whence she last sailed, and a receipt for the money paid.

SEC. 349. He will rate them with the proper postage and mark the number forwarded to other offices and the number for delivery at his own office, on each certificate, and will then enter them in the *Account of ship and steamboat letters*.

## CHAPTER 49.

*Unlawful carrying of mailable matter by private Expresses and otherwise.*

SEC. 350. No person can lawfully carry or transport any letter, packet, newspaper, or printed circular or price current, on board any packet in which the United States mail is regularly carried to or from foreign countries, with the exception of *newspapers* in use and not intended for circulation in the country to which the vessel may be bound.—*4th sec. act 3d March, 1845.*

SEC. 351. The establishment of private expresses for the convey-

ance of any letter, packet or packets of letters, or other matter transmittable in the United States mail, (newspapers, pamphlets, magazines, and periodicals excepted,) from one city, town, or other place, to any other city, town, or place in the United States, between and from and to which the United States mail is regularly transported under authority of the Post Office Department, is prohibited.

SEC. 352. So is the causing to be conveyed, or the providing for the conveyance or transportation, by regular trips, or at stated periods or intervals, as aforesaid, of any letters or other matter transmittable by mail as aforesaid, newspapers, pamphlets, magazines, and periodicals only excepted.

SEC. 353. Every person offending against this provision, or aiding or assisting therein, or acting as such private express, shall forfeit and pay one hundred and fifty dollars for each time any letter or letters, packet or packets, or other matter properly transmittable by mail, (except newspapers, &c.,) shall, or may be by him, her, or them, or through his, her, or their means or instrumentality, in whole or in part, conveyed.

SEC. 354. A like fine of one hundred and fifty dollars is imposed on the owner or owners of any stage coach, railroad car, steamboat, or other vehicle or vessel, which shall, with the knowledge of any of the owners, in whole or in part, or which shall, with the knowledge or connivance of the driver, conductor, captain, or other person having charge of such stage coach, &c., convey or transport any person or persons acting or employed as a private express for the conveyance of any letter, packet or packets of letters, or other mailable matter, and actually in possession of such mailable matter.

SEC. 355. This is not to prohibit the conveyance of any letter, packet, or packets, or other matter, by private hands, no compensation being tendered or received therefor in any way, or by special messenger employed only for the single particular occasion.

SEC. 356. Stage coaches, railroad cars, steamboats, packetboats, and all other vehicles or vessels performing regular trips at stated periods, on a post route between two or more cities, towns, or places, from one to the other, of which the United States mail is regularly conveyed under the authority of the Post Office Department, are prohibited from transporting or conveying, otherwise than in the mail, any letter, packet, or packets of letters, or other mailable matter whatsoever, except such as may have relation to some part of the cargo of such steamboat, packetboat, or other vessel, or to

some article at the same time conveyed by such stage, railroad car, or other vehicle, and excepting also, newspapers, pamphlets, magazines, and periodicals.

SEC. 357. The owners, managers, servants, or crew of all stage coaches, railroad cars, steamboats, packetboats, and all other vehicle: or vessels, are also prohibited from conveying as aforesaid.

SEC. 358. For each offence the owners of the stage coach, railroad car, steamboat, packetboat, or other vehicle or vessel, shall forfeit and pay one hundred dollars; and the driver, captain, conductor, or person having charge of such coach, &c., not being at the time the owner thereof, in whole or in part, shall forfeit and pay fifty dollars.

SEC. 359. The person who transmits by private express, or any other means prohibited by the act of 3d March, 1845, any letter or letters, packet or packets, or other mailable matter, excepting newspapers, pamphlets, magazines, or periodicals; or who shall place or cause to be deposited at any appointed place, for the purpose of being transported by such unlawful means, any matter or thing properly transmittable by mail, (newspapers, &c., excepted,) or who shall deliver them for transmission to any agent or agents of such unlawful expresses, shall forfeit and pay for each offence, fifty dollars.

SEC. 360. Steamboats can carry letters under the fifth and sixth sections of the act of 1825; provided the letters are delivered over to the postmaster of the place, or the authorized agent of the Department, such letters excepted as relate to the cargo. If the letters are not delivered as aforesaid, the owners and persons having charge of the boat shall be liable to the penalty specified in the foregoing section, No. 358.

SEC. 361. The postmaster or other agent of the Department, to whom letters brought by steamboat are delivered, shall charge and collect upon them the same rates of postage as would have been charged had they been transmitted by mail.

SEC. 362. Postmasters are specially enjoined promptly to report to the Department all violations of the law—by those carrying expresses—by those setting them up—by those sending letters or packets by them—by those leaving letters, &c. at any appointed place to be forwarded out of the mail—by those delivering them to any agent of an express—and by those in any other way aiding or assisting in such unlawful transmission.

SEC. 363. They will also report all cases coming to their knowledge where railroads or steamboats, or mail conveyances of any descrip-

tion, convey letters, &c. out of the mail, or transport any persons carrying letters, &c. out of the mail, to the end that suits may be brought against the owners, directors, officers, captains, conductors, or hands, according to their knowledge of such illegal practices, or their connivance, or agency therein.

SEC. 364. The report of the postmaster will consist of a statement of the offence, giving time and place, the name of the offender, and the names of the witnesses.

SEC. 365. The prosecutions when ordered by this Department will be instituted in the district courts in the United States.

SEC. 366. But any citizen is authorized to prosecute for the penalties in a *qui tam* suit, and in that case will be entitled to one-half of the amount received in each instance.

## CHAPTER 50.

### *Postage Stamps.*

SEC. 367. To facilitate the prepayment of postages upon letters and packages, postage stamps of the following denominations are provided and furnished by the Postmaster General, pursuant to the 3d section of the "Act to reduce and modify the rates of postage in the United States, and for other purposes," approved 3d March, 1851, viz :

No. 1. Printed in black, representing the head of Washington, of the denomination of twelve cents.

No. 2. Printed in red, representing the head of Washington in profile, of the denomination of three cents.

No. 3. Printed in blue, representing the head of Franklin in profile, of the denomination of one cent.

SEC. 368. These stamps are furnished to one or more of the principal postmasters in each county, who are required to supply the other postmasters in their respective vicinities, *upon being paid for the amounts applied for and furnished.*

SEC. 369. Postmasters who purchase stamps from other postmasters, under the preceding regulation, are not required to render to the Department any account of the stamps so purchased and sold by them.

SEC. 370. Every postmaster receiving stamps for sale directly from the Department, will, at the end of each quarter, charge himself, in his quarterly account current, with any amount of stamps he may have received from his predecessor, or which remained on hand at the close of the preceding quarter, adding

thereto the amounts received from the Department during the quarter just ended, and crediting himself with the amount of stamps then remaining on hand. The balance of the account thus stated will represent the amount of stamps sold, which must be added on the debit side of his quarterly account current to the amount due on the regular return of postages for the quarter.— (See Chap. 34, Regulation 247.)

SEC. 371. In case of resignation, removal, or death, the postmaster or his representative will not be allowed a credit for any stamps turned over to his successor, unless such successor have duly qualified by giving bond; nor unless his receipt for the amount shall be transmitted to the Auditor for the Post Office Department before the end of the quarter in which the stamps were turned over.

SEC. 372. Any letter or packet with one or more postage stamps affixed, equal in amount to the postage properly chargeable thereon, may be mailed and forwarded from any post office as a pre-paid letter or packet; but if the postage stamps affixed be not adequate to the proper postage, the postmaster mailing the letter or packet, will admit the pre-payment of as many rates as the stamps upon it represent, and charge the excess with postage *at the unpaid rates*, to be collected at the office of delivery.

SEC. 373. No other postage stamps than those described in the foregoing regulation, No. 367, are authorized to be used in the pre-payment of the postage on any letter or packet mailed at one post office in the United States to be conveyed to another post office in the United States. All other stamps upon letters and packets so conveyed must be disregarded.

SEC. 374. Postage stamps may be used in pre-payment of postage on letters to foreign countries, in all cases where such pre-payment can be made in money.

SEC. 375. When letters to foreign countries are pre-paid by stamps, the mailing Postmaster should cancel the stamps, and be careful to rate and mark the letters with *red ink*, as if pre-paid in money.

SEC. 376. A Postmaster may not refuse to mail and forward a letter as pre-paid because the postage stamp or stamps affixed to it were not purchased at his office.

SEC. 377. Every Postmaster to whom stamps are sent by the Department, is specially required to keep always on hand a quantity of stamps sufficient to supply the demands of postmasters and other persons applying and paying for them.

SEC. 378. The law makes no compensation to postmasters *for*

*the sale of postage stamps except by the allowance of commissions on such as are used in pre-payment of postage on letters and packages sent from their offices ; neither does it allow any discount to those who purchase.*

SEC. 379. All postage stamps affixed to letters, packets or parcels of any description, must be *immediately and effectually cancelled* in the office in which the letters, packets or parcels may be deposited for transmission or delivery.

SEC. 380. The cancellation should be effected *by the use of black printers' ink whenever that material can be obtained ;* and where it cannot, the operation should be performed by making several heavy crosses or parallel lines upon each stamp with a pen dipped in good black writing ink.

SEC. 381. If the cancelling have been omitted on the mailing of the letter, packet, or parcel, or if the cancellation be incomplete, the postmaster at the office of delivery will cancel the stamp in the manner directed, and forthwith report the delinquent postmaster to the Postmaster General, as the law requires.

SEC. 382. The use of the office dating or postmarking stamp as a cancelling instrument is prohibited—*unless it be used with black printer's ink and in such manner as thoroughly to effect the object.*

SEC. 383. Letters and packets, and parcels chargeable with letter postage, and prepaid by stamp, will be entered on the post-bills, and also on the transcripts of mails sent and mails received, in the appropriate columns, headed "prepaid by stamps."

SEC. 384. The postage on newspapers, magazines, and pamphlets, prepaid by stamps, will in like manner be entered in the proper transcript or account of newspapers, magazines, pamphlets, and other pre-paid printed matter in the column headed "pre-paid by stamps."

SEC. 385. In making up his quarterly account the postmaster *will not charge himself* in his quarterly account current with the amount of mailable matter pre-paid by stamps, which may have been received at or sent from his office ; but he may take his commissions *on the amount of such matter originally sent from his office*, in the same manner as if the pre-payment had been made in money, and without regard to where the stamps may have been purchased.

SEC. 386. All postage stamps, whether attached to letters, packets, or parcels chargeable with letter postage, or to newspapers, magazines, pamphlets, or other printed matter, must be entered in the appropriate columns of the transcripts belonging to the quarterly returns, and the columns carefully footed up, that the

Department may readily ascertain the quantity of stamps used in the mails and cancelled.

SEC. 387. Postmasters receiving postage stamps from the Department for sale, will pay over the money by them received for stamps sold, at the same time and in the same manner as their special instructions require them to pay over the quarterly balances due for postages.

SEC. 388. The third section of the "Act to reduce and modify the rates of postage," &c., approved 3d March, 1851, declares that "any person who shall forge or counterfeit any postage stamp provided or furnished under the provisions of this or any former act, whether the same are impressed or printed on, or attached to envelopes or not, or any die, plate, or engraving therefor, or shall make, or print, or knowingly use or sell, or have in his possession, with intent to use or sell, any such false, forged, or counterfeited die, plate, engraving, or postage stamp, or who shall make or print, or authorize or procure to be made or printed, any postage stamps of the kind provided and furnished by the Postmaster General as aforesaid, without the especial authority and direction of the Post Office Department, or who, after such postage stamps have been printed, shall, with intent to defraud the revenues of the Post Office Department, deliver any postage stamps to any person or persons, other than such as shall be authorized to receive the same by an instrument of writing, duly executed under the hand of the Postmaster General, and the seal of the Post Office Department, shall, on conviction thereof, be deemed guilty of felony, and be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding five years, or by both such fine and imprisonment." And the fourth section of said act provides that, "if any person shall use, or attempt to use in prepayment of postage, any postage stamp which shall have been before used for like purposes, such person shall be subject to a penalty of fifty dollars for every such offence, to be recovered in the name of the United States in any court of competent jurisdiction."

SEC. 389. No application enclosing money to the Department for stamps will be attended to further than to return the money by mail, and refer the applicant to the nearest post office authorized to sell stamps.

SEC. 390. Postmasters should apply for postage stamps to the Third Assistant Postmaster General, to whom the receipts for them should be promptly transmitted.



## CHAPTER 51.

*Miscellaneous.*

As the articles embraced in the following chapters were adopted after the preceding chapters had been put to press, no reference is made to them in the Index.

SEC. 391. *Foreign postages not noted in the general table:—*

To Buenos Ayres, or any other part of the Argentine Republic, via Falmouth, England, single rate, 45 cents, to be prepaid.

To Montevideo by same route, single rate 83 cents, to be prepaid.

To Venezuela, 45 cents, to be prepaid.

SEC. 392. *Explanatory.* On newspapers to the West Indies, (not British,) and places on the Spanish main, where the United States mail steamers do not touch, the postage—*which must be prepaid*—is *six* instead of *four* cents each—the British postage alone being four cents.

SEC. 393. *All unpaid newspapers, pamphlets, and other printed matter*, mailed in any foreign country, and received at any Post office in the United States, which may be refused, or cannot be delivered as addressed, must be returned to the Department *as dead matter*—in the same manner, and under the same general regulations as apply to the return of dead letters, and should be addressed to the *Third Assistant Postmaster General*.

SEC. 394. No Postmaster, Assistant Postmaster, or clerk employed in a Post Office, can hold a mail contract or be concerned in carrying the mail.—*Act of 1825, sec. 42.* ¶ See also act of 1836, sec. 26, p. 44 of the Laws—to which the special attention of *Postmasters and their clerks is directed.* ¶

SEC. 395. It is forbidden that any person be employed as assistant or clerk in any Post office, or as a mail carrier, who shall be at the time when he subscribes the required oath of office, less than sixteen years old.

## CHAPTER 52.

*Distribution of Wrapping Paper, Sealing Wax, and Twine.*

SEC. 396. Deputy Postmasters who have been or shall be appointed by the President of the United States, and all other Postmasters whose compensation for the year ending June 30th, 1851, amounted to three hundred dollars, shall be supplied with wrapping paper, sealing wax, and twine for the use of their offices in the manner following:

" 1. Such wrapping paper, sealing wax, and twine shall be procured from the several persons who have contracted to supply the same, by the agents appointed for the distribution of Post Office blanks, each of which said agents shall procure such articles only for the use of the Post Offices in the District to which he shall supply said blanks, and shall so procure the same upon his written requisition upon the person or persons who have contracted to supply the Post Offices aforesaid with the same.

" 2. Such articles shall then be supplied to the Post Offices aforesaid, by the agent for the district in which the Post Office requiring the same is situated, and shall be supplied upon the written requisition of the several Postmasters aforesaid made upon the agents aforesaid.

" 3. *Each of such requisitions shall be for a supply of such articles not exceeding what may probably be required for a period of six months, and shall specify separately and distinctly the different articles required.*

" 4. The agents aforesaid shall exercise a reasonable discretion in making such supplies, and shall furnish less than the amount of the requisition if they think the same excessive.

" 5. The agents aforesaid shall at the end of each quarter, transmit to the Auditor of the Treasury for the Post Office Department, a separate and accurate account, specifying the quantity and aggregate value of each item of the articles supplied to each of said offices in that quarter, and shall accompany each of said accounts with a separate and general statement of the quantity and aggregate value of each item of said articles previously furnished to the office to which said more particular account relates.

" 6. Such agents shall also at the time of transmitting such accounts furnish a statement of the amount of each item of such articles had by them on hand at the commencement of the quarter for which the account is rendered, of the amount and aggregate value of each item procured in said quarter, and of the amount of each item which they shall have on hand at the end of said quarter."

The Postmasters aforesaid will apply for such articles in the manner hereinafter specified :

Postmasters in district number one—which consists of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, California and Oregon, will apply to the " **POSTMASTER AT NEW YORK, N. Y.**"

Postmasters in district number two—which consists of the Dis-

trict of Columbia, Virginia, North Carolina, South Carolina, Georgia, Alabama, and Florida, will apply to the "FIRST ASSISTANT POSTMASTER GENERAL, WASHINGTON, D. C."

Postmasters in district number three—which consists of Mississippi, Louisiana, Arkansas, Missouri, Kentucky, Tennessee, Texas, New Mexico, and Utah, will apply to the "POSTMASTER AT CINCINNATI, OHIO."

Postmasters in district number four—which consists of Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, and Minnesota, will apply to the "POSTMASTER AT BUFFALO, N. Y."

It is expected that under this arrangement the offices for which a direct supply of wrapping paper is not provided, will be supplied by the re-use of the wrappers received from the first mentioned class of offices. If, however, that supply shall be found insufficient, the class of offices supplied directly by the distributing agent will be increased.

## CHAPTER 53.

### *Increased commissions to Postmasters.*

SEC. 397. Under the authority vested in him by the sixth section of the act of 1851, providing for the allowance of increased commissions to Postmasters in certain cases, the Postmaster General on the 29th October, 1851, issued a circular order referring to that act and establishing the Regulations of the Department on that subject, which are as follows:

"It is ordered, that, whenever the Auditor of the Treasury for the Post Office Department shall have satisfactory proof, by affidavit or otherwise, that the labors of any Postmaster have been increased and his commissions reduced, as provided for by said act, he shall allow and credit such Postmaster with commissions according to the following rules, to wit:

1. Where the commissions of such Postmaster, for the fiscal year ending June 30, 1851, did not exceed fifty dollars, *the same amount of commissions allowed for that year*, with twenty per cent. added thereto, shall be allowed and credited to the Postmaster for the fiscal year ending June 30, 1852.

2. Where the commissions of such Postmaster, for the fiscal year ending June 30, 1851, exceeded fifty dollars, and did not exceed one hundred dollars, *the same amount of commissions allowed for that year*, with fifteen per cent. added thereto, shall be allowed

and credited to the Postmaster for the fiscal year ending June 30, 1852.

3. Where the commissions of such Postmaster, for the fiscal year ending June 30, 1851, exceeded one hundred and did not exceed five hundred dollars, *the same amount of commissions allowed for that year*, with twelve and a half per cent. added thereto, shall be allowed and credited to the Postmaster for the fiscal year ending June 30, 1852.

4. Where the commissions of such Postmaster, for the fiscal year ending June 30, 1851, exceeded five hundred dollars, *the same amount of commissions allowed for that year*, with ten per cent. added thereto, shall be allowed and credited to the Postmaster for the year ending June 30, 1852.

*Provided, always*, That the commissions to be allowed at any Post Office (other than a distributing office) shall not exceed the postages collected at such office during the period for which such allowance is made: *Provided, also*, That a special application for a further allowance to any distributing office may be made whenever the Auditor shall certify that the commissions authorized to be allowed under this order are insufficient to pay the actual and necessary expenses of such office, including the compensation of the Postmaster.

*And provided, further*, That there shall not be allowed at any office, where the compensation of the Postmaster is by law limited to a fixed salary or compensation, any greater sum than shall be required to pay such salary or compensation, and the actual and necessary expenses of his office.

The rate of allowance after the present fiscal year is reserved for future consideration, and will be determined upon after the accounts for the first three quarters of the present fiscal year have been adjusted by the Auditor."

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To carry this order into effect the Auditor of the Treasury for the Post Office Department issued a circular letter of instructions to Postmasters. These instructions are adopted as Regulations of the Department, and will be observed by Postmasters accordingly. They are as follows:

"Postmasters entitled to increased commissions under the order of the Postmaster General are required to furnish this office with proof, by affidavit, that the labors of their respective offices have increased under the operation of the new postage law, which may be in the following, or like form, viz:

**} ss.**

Subscribed and sworn before me,  
this                      day of                      185 .

*Justice of the Peace.*

Postmasters will compute their commissions, in the quarterly accounts current, in the same manner as heretofore, viz: On letter postages, in each quarter of a year, and in due proportion for every fractional part of a quarter, 40 per cent. on the first \$100;

33½	“	“	next	300;
30	“	“	“	2,000;
12½	“	“	all over	2,400.

On letters received for distribution at such offices as are designated by the Postmaster General, 7 per cent.

At offices where the mail is regularly to arrive between the hours of 9 o'clock in the evening and 5 o'clock in the morning, fifty instead of forty per cent. is allowed on the first \$100 of letter postage; but the P. M. entitled to allowance for night-mail service should append to, or write on, the margin of his quarterly account current, the following certificate:

Post Office, ———, 185 .

"I certify, that the regular time of the arrival of the Mail at my office for the quarter ending ———, was between the hours of 9 o'clock in the evening and 5 o'clock in the morning.

“——, P. M.”

Ten cents a month for each route may be charged when a Postmaster is required by the Department to return monthly or weekly registers of the arrivals and departures of the mails.

When the quarterly returns are examined, and the regular commissions ascertained, the additional commissions for the quarter, as compared with the corresponding quarter of the last year, will be credited to such Postmasters as may appear entitled thereto; but all such credits will be only conditional, until it is ascertained by the adjustment of the accounts for the last quarter of the fiscal year, whether or not the commissions for the year are reduced below those allowed for last year.

The accounts of postages on newspapers, and other printed matter, must be rendered strictly in accordance with the tables furnished by the Department. The new blanks provided for the purpose must be properly filled up, or the old ones altered to conform to the law. This duty is a material part of the increased labor imposed on Postmasters under the new law, for which the additional commissions are allowed.

Letter postage, prepaid by stamps, should not be included in the "postage paid in money on letters sent," on No. 7 of the account current, but the amount prepaid by stamps must be stated on the credit side of the account on No. 22, for the purpose of calculating commissions thereon, and the same regulation applies to newspapers prepaid by stamps, the amount of which is entered in No. 24 of the account.

Postmasters may frequently save themselves from loss, and this office from unnecessary trouble, by paying strict attention to the reference in section 247 to article 9 of the account current, in the Post Office Regulations, which is as follows:

"In article 9, every postmaster will debit himself with the whole amount he has paid during the quarter for advertising letters, and credited as contingent expenses in article 27. This debit and credit operate merely as counter entries. He will mark the cost of advertising on each letter advertised. Upon every letter delivered, he will collect this cost in addition to the postage, and upon those remaining, sent as dead letters to the Department, he will charge it, and will thus be exactly reimbursed.

One cent only is allowed for advertising each letter."

Although the account of Postmasters for the first three quarters of the fiscal year ending 30th June, 1852, have not been fully adjusted, the Postmaster General has determined that the rate of allowance of increased commissions for the fiscal year ending 30th June, 1853, shall be *twenty per cent.* in all cases—subject however to the provisions and limitations contained in the foregoing order.

## ERRATA.

On page 9 of the Index, the reference which on the eleventh line, follows "*Dispatch and receipt of Foreign Mails*" should be to *Section 338*, instead of 48.

On page 9, Regulations, section 24, 7th line, read *Second*, instead of *First Assistant*.

On page 4, Regulations, the chapter designated as that to which the special attention of Postmasters is directed for an enumeration of their duties in connection with the Inspection Office, should be 42, instead of 54.

On page 36, Regulations, the "do" after Mazatlan should be stricken out, Mazatlan being in Mexico.

On page 50, Regulations, chapter 29, in the second line of the second paragraph, read *printed*, instead of *pointed*.

In the note at the foot of page 44 Laws, the reference should be to 42d section of the act of March 3d, 1825, instead of the act of July 21, 1836.

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